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*The  
Campaign Guide*







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1894

# THE CAMPAIGN GUIDE

**EDINBURGH: DAVID DOUGLAS.**

**LONDON . . SIMPKIN, MARSHALL, HAMILTON, KENT, AND CO., LIMITED.**

**CAMBRIDGE . MACMILLAN AND BOWES.**

**GLASGOW . . JAMES MACLEHOSE AND SONS.**

# THE CAMPAIGN GUIDE

## An Election Handbook for Unionist Speakers

*PREPARED BY  
A COMMITTEE OF  
THE CENTRAL COUNCIL OF THE NATIONAL UNION  
OF CONSERVATIVE ASSOCIATIONS FOR SCOTLAND.*

*REVISED BY THE AUTHORS, AND REISSUED AT THE REQUEST OF  
THE CENTRAL CONSERVATIVE OFFICE, LONDON,  
AND OF  
THE CENTRAL COUNCIL OF THE SCOTTISH NATIONAL UNION.*

### *IN FOUR PARTS*

- PART I. CONSERVATIVE AND UNIONIST WORK  
„ II. IRELAND  
„ III. GLADSTONIAN GOVERNMENT, 1892-94  
„ IV. ELECTION PROBLEMS

**FIFTH EDITION**



EDINBURGH: DAVID DOUGLAS

1894

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## P R E F A C E

THIS new edition of the *Campaign Guide* has been prepared at the request of the Central Conservative Office, London, and the Council of the Scottish National Union, in view of the election campaign which is believed to be rapidly approaching. The work has been prepared by Scotsmen in Scotland, and probably some subjects of interest to Englishmen may have been omitted or imperfectly handled, whilst the references and illustrations are doubtless more Scottish in colour than if the work had been compiled in England. It is believed, however, that the greater part of the work is likely to be as useful to speakers on the south as to those on the north of the Tweed.

According to the original plan, the *Campaign Guide* was divided into two parts—Part I. “Unionist Work,” and Part II. “Election Problems.” In the present edition it was necessary to introduce a third part, dealing with the policy of the present Government; and, as each of the three parts would then have had an Irish Chapter, it was thought more convenient to make a fourth part, in which the three chapters dealing with Ireland could be included together. Part I. “Unionist Work,” has been left substantially in its old form and order; Part II. “Ireland,” contains a new Chapter on “Ireland under Separatist Government,” and the Chapter on “Home Rule” has been recast and greatly amplified; Part III. “Gladstonian Government,” is entirely new; Part IV. “Election Problems,” has been brought up to date and considerably amplified.

As the volume has been prepared for a Conservative organisation, the political topics of the day have been treated from the standpoint of the Conservative party. The next general election, however, will be fought on a broader platform, and it is believed

that, whilst Liberal-Unionists may not subscribe to everything in these pages, the book contains much which is common ground to both parties, and likely to be serviceable to Liberal-Unionist speakers. Nothing could afford more gratification to the compilers than that this work should be of some assistance not merely to Conservatives, but also to those allies to whose loyalty the country owes so much.

Important contributions to the work have been received from Mr. John Chisholm, who prepared the Chapter on the "Liquor Laws," Mr. W. K. Dickson, who prepared the Chapter on "Home Rule," Mr. A. H. B. Constable, who prepared the Chapter on "Labour Problems," and Mr. N. J. Kennedy, who prepared the Chapter on "Taxation." The accuracy and the thorough character of these contributions have greatly lightened the labours of the Editorial Committee. The Committee have also to acknowledge the valuable assistance they have received in the preparation of the Index from Mr. A. H. B. Constable and Mr. W. K. Dickson. The compilers have made free use of the leaflets of the Scottish National Union, which have been of great assistance. Amongst many other sources to which they are indebted are the leaflets of the English Central Conservative Office and the English National Union, the Irish Unionist Alliance, and other Unionist organisations, and also the Constitutional Year Book, Handy Notes, and National Union Gleanings, from which much information has been derived.

HECTOR MACLEOD,  
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*Editorial Committee.*

9 CASTLE STREET, EDINBURGH,  
7th March 1894.

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## INTRODUCTORY NOTE

THIS Handbook has been revised, amplified, and reissued primarily for the use of Unionist candidates and speakers during the General Election which is looked for in the present year. The endeavour has been to supply information on all the leading topics of political discussion likely to be before the country in the course of that contest in a handy and readily accessible form. The place of honour in the forefront of the Handbook still justly belongs to the work of the Unionist Government. The period which has elapsed since that Government resigned the reins of power enables the political student to judge of their policy and conduct from a juster perspective than was possible two years ago. Such a study only tends to confirm the sense of the unique character of the work which in six years they were able to accomplish. Opinions may differ as to the relative importance of their several achievements, but the following, perhaps, stand out as the most remarkable among many others of great value:—

**The Annexation of Burmah.**

**The Founding of our Central African Empire.**

**The Fortification of the Indian Frontier.**

**The Complete Reorganisation of our National and Imperial Defences.**

**The Restoration of Order in Ireland.**

**Irish Land Purchase.**

**The Conversion of the National Debt.**

**Local Government for England and Scotland.**

**The Mines Act.**

**Free Education.**

**The New Education Code.**

The annals of British ministries will be examined in vain for a parallel to this series of achievements.

The present Government have been nineteen months in office. During that period they have made larger and more constant demands upon the time of Parliament than did ever any previous Government in the like space of time. The result of these efforts is not a list of achievements, but a record of failures, a chronicle of blunder and disaster. Had Part III. of this work, which deals with Gladstonian Government, been limited to an account of what work the present Government have successfully accomplished, it might have been contained in a single chapter, and that the shortest in the book.

Not Home Rule for Ireland, but the Home Rule Scheme of Mr. Gladstone, is now the issue before the country. Unionists must lose no opportunity of making that clear. Gladstonians are sure to spare no efforts to obscure this fact, to allude to Home Rule only in brief and general terms, and to divert the attention of the electorate by a hundred delusive promises; and therefore, if Unionist speakers are wise, they must, to use a homely expression, be careful to rub in this Home Rule Scheme. The temptation is great, doubtless, to leave Home Rule alone. The electors don't want Home Rule, and don't care to hear about Home Rule. A speech upon labour and social questions has far more interest for them, and the speaker may often be tempted to give the Home Rule question the go-by. But this would be a fatal mistake. If a Gladstonian Government is again returned to power, that Government, which will certainly be dependent upon the support of the Nationalist members, must pass a Home Rule Bill whether the country or even their own party wish it or not. They cannot hope to retain office for a single session upon any other terms. Let this, therefore, be made clear to the electors. They cannot put Home Rule aside except by returning a Unionist Government to power.

Next in urgency to the Home Rule question comes that of Disestablishment in Scotland and Wales: This question and that of Home Rule resemble each other in this respect, that a large number of Gladstonian Liberals would gladly do without

either of them, and are only constrained to stick to them because, if they did without them, they would also have to do without the Irish and a large part of the Nonconformist vote. Conscious that they cannot win upon Home Rule alone, they call to their aid promises of land and labour legislation, vague enough to bind them to nothing if they get in, but definite enough in their view to tickle the ear of the popular electorate. Conscious that on Disestablishment, as a main issue, they would be heavily beaten in Scotland, and fearful of arousing the Church of England to a sense of her own danger, they adhere when asked to the pledges given to the Liberationists (without whose support they are as nothing), and say as little as they can about Disestablishment in the constituencies, doing their best to create in the minds of their Established Church supporters the impression that there is no immediate danger.

This state of matters must impress upon Unionists and Church supporters the urgency at the present juncture of losing no opportunity of bringing clearly before the country what the real issues of the contest are, and what Gladstonian government means for the Empire and for the national Churches. At the same time it is necessary that Unionists should be prepared to meet Gladstonians on the other questions, by the discussion of which Gladstonians seek to obscure the main issues, and to show how, on the one hand, Gladstonian government means the indefinite postponement of all labour, social, and land legislation for the benefit of the people of Great Britain, and how, on the other hand, the Unionist party are prepared, if returned to power, at once to address themselves to the solution of these questions in the interests of all classes of the community. Material will be found in the later chapters of the work which may aid in the discussion of these problems in a frank and generous spirit.





# THE CAMPAIGN GUIDE

## PART I.

### *CONSERVATIVE AND UNIONIST WORK.*

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#### CHAPTER I.

##### **FOREIGN AND COLONIAL POLICY.**

LORD BEACONSFIELD, in discussing the influence of Foreign Policy on home prosperity, once said :<sup>1</sup>—

“The very phrase Foreign Affairs makes an Englishman convinced that I am about to treat of subjects with which he has no concern. Unhappily the relations of England to the rest of the world which are ‘foreign affairs’ are the matters which most influence his lot. Upon them depends the increase or reduction of taxation. Upon them depends the enjoyment or the embarrassment of his industry. And yet, though so momentous are the consequences of the mismanagement of our foreign relations, no one thinks of them till the mischief occurs.”

Mr. Gladstone once said :<sup>2</sup>—

“Pericles, the great Athenian statesman, said with regard to women, their greatest merit was to be never heard of. Now what Pericles untruly said of women, I am very much disposed to say of Foreign Affairs—THEIR GREATEST MERIT WOULD BE TO BE NEVER HEARD OF.”

Upon these two sentences the history of our recent Administrations supplies a striking comment. The greatest calamity of this latter half of the century, the Crimean War, was brought upon this country, as was afterwards acknowledged by Cobden himself, by the turning out of the Conservative Administration of 1852. The Afghan War of 1879 was rendered inevitable by the mismanagement of our Afghan relations by Mr. Gladstone’s first Government in 1873, when the ruler of that country came to us pointing out the dangers of Russian aggression and

<sup>1</sup> Manchester, 3rd April 1872.

<sup>2</sup> West Calder, 27th November 1879.

beseeking our close alliance, only to be told that "we do not share his alarm, and consider there is no cause for it" (Afghan Papers, 1878, p. 108).

In spite of the furious abuse with which it was assailed, Lord Beaconsfield's Government of 1874-80 secured "Peace with Honour" at Berlin, forced Russia to tear up the outrageous Treaty of San Stephano, vindicated our position against her intrigues in Afghanistan, secured a strong "scientific frontier" for India on the north-west, and co-operated satisfactorily with France in Egypt. It had paved the way to a united and consolidated European South Africa, and when it left office this country was on good terms with all the European powers, and in especially cordial relations with Austria and Germany, which had recently concluded an intimate alliance.

### **MR. GLADSTONE'S GOVERNMENT, 1880-85.**

Mr. Gladstone succeeded to office in 1880, and Foreign Affairs were more heard of than ever. The experience of his Government is a record of the Nemesis that waits in office upon the statesmen who, in Mr. Gladstone's own words, recklessly indulge in "polemical language" in "a position of greater freedom and less responsibility:" it affords an emphatic illustration of the evils which our party system, in the hands of men who are partisans before they are patriots, may bring upon the permanent interests of the nation. Nothing can be more important for a nation than that it should possess a steady and continuous Foreign Policy, that foreign statesmen should not see in the vicissitudes of parties and domestic changes of Government an opportunity for unsettling existing arrangements, and that disaffected subjects should not be encouraged to rise in revolt by the knowledge that those who govern are embarrassed by their own words. The troubles in which this country was involved from 1880 to 1885 are almost without exception directly traceable to the "reversal" of Lord Beaconsfield's policy to which his successors were committed by their own unpatriotic and unguarded utterances, and nothing is more remarkable in the history of Mr. Gladstone's Government than the inevitable reversion to the maligned policy of his predecessor which was inexorably imposed upon him by the stern pressure of facts. The keynote of that Administration was struck in the abject letter of apology addressed by the Prime Minister of Britain to the Ambassador of Austria for an attack as gratuitous and unnecessary as it was extravagant and unjust; the substantial complications it created were revealed when the match of agitation struck in Midlothian fell upon the explosive materials of meetings of discontented men in the Transvaal.

## EUROPE.

The "concert of Europe" was the favourite idea of Mr. Gladstone before he came into office. But when invoked at the time of the naval demonstration at Dulcigno it proved abortive, and the only practical result of that performance was, by arousing the ill-will of Turkey, to increase our subsequent difficulties in Egypt. It finally disappeared in the roar of the cannon at Alexandria. Lord Granville had to apologise to Germany, and Great Britain to "associate herself in apology" to France. Negotiations for a commercial treaty with France ended in smoke, and in 1885 there was scarcely a country of which the press adopted a friendly tone towards Britain.

## ASIA.

In 1880 the operations in Afghanistan had placed Candahar in our hands, and it had been announced that that famous city, which bars the road to India, would never be given up as a military post. Upon the footing that it was to be held, some military authorities had declared that it was unnecessary to keep the northern passes that Lord Beaconsfield had secured. In the face of a majority, however, of Lord Ripon's own Indian Council, and almost unanimous feeling in India, Mr. Gladstone's Government then abandoned Candahar, "scuttled out," and stopped—and actually tore up part of—the railway that was being constructed from Pisheen to Candahar. They resolved also to give up the district of Pisheen, but the Indian Council remonstrated so strongly that they consented to postpone its evacuation. In 1885 they set to work in hot haste to remake the railway, and collected troops and stores to an enormous extent in that very district, the want of the railway having greatly increased the expense. £6,500,000 was the amount of the vote of credit then asked as a practical comment on Mr. Gladstone's previous declarations "that he had no fears whatever of Russian territorial extension in Asia," and thought such apprehensions were "only old women's fears."

These years had been very busy ones in the regions to the north. As soon as Mr. Gladstone came into office the Russians sent their best general—Skobeloff—to crush the Turcomans. At the very time we left Candahar they annexed the whole of the Akhal Turcoman country. It is impossible here to trace the instructive history of the communications between the British and Russian Governments in reference to Central Asia; but in 1884, when we were in the midst of the Egyptian troubles, and General Gordon had just started for Khartoum, the Russians possessed themselves of Merv, thus connecting their territory on



the Caspian and Persian frontier with that in Turkestan, and coming into touch with the Afghans all along their northern border. They were kind enough to tell Lord Granville, who filled four pages of a blue-book with a list of their assurances, that they had not intended in any way "to take advantage of the embarrassments of Her Majesty's Government." Negotiations commenced for the definition of the border-line; and it is remembered how Russia delayed their progress, how her representative to the Joint-Commission failed to appear, how her troops advanced, and how, finally, the Afghans, who had been guaranteed aid against "unprovoked aggression" by us in 1880, and again in 1883, and had been advised by Lord Granville to resist,<sup>1</sup> were attacked and massacred at Penjdeh, our officers "hunted like hares," and our Commissioner "not recalled," but "directed to repair to the metropolis." When Mr. Gladstone left office there had been a practical surrender to Russia of nearly all that was in dispute, and the question was still unsettled.

#### AFRICA.

*Transvaal.*—The "polemical language" of Midlothian circulated in South Africa was followed by Mr. Gladstone's refusal to give up the Transvaal, by the Boer rebellion, and by the announcement of the determination to "vindicate the authority of the Queen." After the blood had been shed, and the calamitous battles of Laing's Nek, Ingogo, and Majuba Hill fought, came the sudden discovery that it was "sheer blood-guiltiness," and the surrender of all we had taken up arms to maintain. The Transvaal was given up, but under conditions declared by the Government to be most important, providing a certain amount of protection to the native population, retaining control of foreign relations, and continuing the suzerainty of the Queen. Three years later, in a new convention, these conditions almost wholly disappeared. In 1884, the title South African Republic was recognised, the British Resident became a mere consular agent, negotiations might be concluded direct with foreign Powers, subject only to formal approval, and the stipulations on behalf of the natives became non-existent. The result was a constant course of filibustering by the Boers upon their borders, the setting up of "robber republics" by bands of freebooters, and cruel wrongs inflicted upon the native races. In 1885 Mr. Gladstone had to take the very steps for recommending which he had denounced Mr. Forster as "a man of war," the aggressive proceedings of the Boers having necessitated the despatch of a military force to the borders of the

<sup>1</sup> Central Asian Papers (2), p. 163.

Transvaal, heavy expenditure, and the annexation in the Bechuanaland Protectorate of a region as large as France. It had been proved to be not only a disgraceful but a costly thing when "the British flag has to be hid to preserve it from insult." There were coquettings between Prince Bismarck and the Boers, and rumours of German interest in Zululand, the Germans being established at Angra Pequena. More improbable things had come to pass in the recent past than a string of foreign settlements and Dutch states in the early future, stretching across the continent under German protection, shutting out our colonists from Central Africa, and closing the great trade route to the interior.

*Angra Pequena.*—The story of this incident was thoroughly characteristic. British sovereignty had been proclaimed in this bay on the west coast of Africa in 1866, but not formally adopted by the Home Government. In 1868, and again in 1883, the German Government asked British protection for German residents. Lord Granville replied on 22nd February that without more precise information it was not possible to form any opinion, as to whether the British authorities would have it in their power to give any effectual protection in case of need. In September, and again in November, the Germans inquired whether Her Majesty's Government claimed the suzerainty of Angra Pequena, and if so, on what the claim was based. Lord Granville replied on 21st November that though British sovereignty had only been proclaimed at certain points and not along the whole coast, England considered that any claim by a foreign Power to sovereignty between the Portuguese frontier and Cape Colony would infringe her legitimate rights. The Germans demurred, and stated that in their view the trading establishment to be set up "on territory outside the sovereignty of any other Power" was entitled to the protection of the Empire, and on 25th April 1884 notified both at London and Cape Town that the settlement was under the protection of the German Empire. On 2nd June they stated they had heard the Cape Government had reported they were ready to incorporate the whole coast, but that the German Government could not acknowledge the right to do so. On 14th July our Colonial Minister telegraphed to the Cape that the Government had determined they were not in a position to oppose the German intention to extend protection to Germans where no British jurisdiction already existed, and on 19th September Lord Granville stated their reliance that the German Government would secure full legal protection to British subjects. Thus communications which began with a German request for British protection, were marked by an utter incapacity on the part of our statesmen to realise what was slip-

ping through their fingers, and ended in a British request for German protection.

*The Cameroons.*—The history of German settlement here was similar. In 1879, and again in 1881, the native chiefs requested to be taken under British sovereignty. On 1st March 1882 Lord Granville replied that the Government were not prepared, as at present advised, to undertake the protectorate of their country, but would further examine the matter and write again. In July 1883 the kings renewed their application. On 10th May 1884 Consul Hewett was ordered to return to his post and visit the chiefs, and obtain an undertaking that they would cede what portions of their territory we might wish to acquire. On 10th July a German man-of-war having passed Cape Coast Castle, an English ship was sent to tell the chiefs that Consul Hewett was on his way with a friendly message from the Queen. On the 19th Consul Hewett arrived, only to find that the Germans had arrived on the 11th, and had already signed a treaty with the kings, and formally annexed the Cameroons to Germany. One of the kings declared he had waited long enough in vain for the answer of the English Government.

*Egypt.*—It is, however, with Egypt that history will most prominently associate Mr. Gladstone's Government. In 1875 its financial condition had given rise to embarrassment, and as the result of careful inquiries on the spot, an arrangement was devised in 1876, and re-established after the deposition of Ismail Pasha in 1879, known as the Dual Control, by which the management of the Egyptian finances was placed under two European Controllers-General, one being French and one English. In June 1880 the condition of the country had enormously improved, and the revenue showed a surplus of £100,000. Lord Granville, on 4th November 1881, summarised the results of what had been done by stating that education had spread, vexatious taxation had been abolished, the land-tax had been equitably rearranged, and forced labour had diminished. He acknowledged in Parliament that the Control "had undoubtedly worked admirably for the finances and administration of Egypt." Mr. Gladstone's Government adopted and approved that arrangement. It was the one thing for which Mr. Gladstone at Leeds, on 9th October 1881, gave the previous Government "credit," and he repeated his approval in the House of Commons on 26th May 1882.

On September 9, 1881, Arabi Pasha's revolt broke out. In a short time the previous reforms were swept away, and the country fell into a state of absolute confusion. The Liberal Government wholly failed to realise the danger. Their advice to the Porte when the Khedive appealed for aid was "not to take hasty action, but, like Her Majesty's Government, to use calm and pacifying

language." Calm and pacifying language was succeeded by the sending of the fleet to Alexandria, with no troops to land. The massacre of 11th June 1882 followed, and our squadron could do nothing but look on, while the British Consul was outraged and Europeans slaughtered, as the Government had been warned would happen. While a conference was sitting in Constantinople against the wish of Turkey, the Government, in constant communication with the Admiral, authorised the bombardment of the forts, and the French fleet sailed away. The result was the destruction of a great commercial city, and the necessity for the indemnities which broke the back of Egyptian finance. Then followed the "sanguinary operations" which were not "war," and then became "war upon the principles of peace:" the campaign of Tel-el-Kebir, and the fiasco of Arabi's trial; the slaughter of Hicks Pasha in the Soudan, and the declared abandonment of that country, which at once sealed the fate of the garrisons that we had not allowed time to withdraw; the massacre of Egyptian parties, of Baker's force at 'Teb, of the gallant defenders of Sinkat, Shendy, and Berber, the published licence of the slave trade in the home of its worst horrors, the sending of Gordon to Khartoum, the "indelible disgrace" he declared his country was incurring, the disquisitions as to whether he was "surrounded" or only "hemmed in," the first despatch of Graham to Suakim, and the slaughter at 'Teb and Tamai of 7000 Arabs, described by Mr. Gladstone as "a people rightly struggling to be free;" the bringing back of Graham, the refusal to send relief to Gordon, the change of mind, and the expedition sent up the Nile "too late;" the battles of Abou Klea, Abou Kru, and Kirbekan; the fall of Khartoum; the resolve to "smash the Mahdi;" the sending of Graham again to Suakim; the fierce fighting, due to Osman Digna having been only half smashed before; the second bringing back of Graham; the heavy expenditure for the railway across the desert, and its abandonment; the policy of "slaughter and scuttle;" the hurrying of Lord Wolseley's troops down the Nile, in spite of his strong protest; and the desertion of all those who had befriended us. It was indeed a bitter record, without the collapse of the International Conference of 1884, the abortive proposals as to the Suez Canal, involving a loan of £8,000,000 to a foreign company, received with unanimous disapproval by the Chambers of Commerce throughout the country, and immediately abandoned, and the chequered financial negotiations necessary to deal with a state of affairs showing a deficit of £8,000,000. When Lord Salisbury entered office in 1885 the negotiations for floating a new Egyptian loan were at a deadlock, and the country practically within fifty days of bankruptcy.

## AUSTRALASIA.

*New Guinea.*—The experience of our colonists in Australia was similar to that of our colonists and allies in Africa. In April 1883 the Government of Queensland, to prevent foreign Powers taking possession of New Guinea, proclaimed the Queen's sovereignty. Two months later, in spite of representations from the Colonial Institute and rumours of German and Italian occupation, our Government "had not yet arrived at any final decision." They regarded these reports "simply as a creation of the anxiety of the colonists," and declared "as a matter of fact . . . no such intention is entertained." On 11th July 1883 they annulled and repudiated the proceedings of the Queensland Government. On August 8, 1884, the German Government intimated their view that there was a field for German enterprise on the north side of New Guinea. On 27th September, on hearing that England intended to establish a protectorate, they expressed surprise at the inclusion of the north coast. On December 9th they were informed that our protectorate would be limited to the south coast, without prejudice to any territorial question beyond these limits. On October 23rd the English protectorate was proclaimed over the south coast of New Guinea and adjacent islands. On 17th December the German flag was hoisted on the north coast of New Guinea, and on the islands of the New Britain Archipelago, since renamed Bismarck. The Government of Victoria telegraphed: "The exasperation here is boundless; we protest in the name of the present and future of Australia." The Government of Queensland emphatically protested, and declared that the relations of Great Britain and the colonies "were likely to be seriously affected." On January 13th, 1885, Lord Granville replied to the German official notification that Her Majesty's Government were "quite unprepared for such an announcement." In an interview with our ambassador a little later, Prince Bismarck referred to the importance he had attached to a cordial understanding between Britain and Germany, and said that the understanding he had come to with France in consequence of his failure to come to one with us, put it out of his power to take up the question now as he had previously desired. It would be difficult to exaggerate the resentment that was thus aroused in the Australian colonies.

*The New Hebrides.*—The activity of France in the Pacific, and the fear of additional French penal settlements within reach of their coasts was also the cause of much disquietude and agitation among the Australians.

In June 1885 Mr. Gladstone's Government quitted office, leaving the country on the verge of war with Russia, our relations with other European Powers in a state of friction, our

colonists estranged, and a state of feeling between European and native in India worse than had existed since the Mutiny. The politicians who composed it had scoffed at the "Peace with Honour" secured by Lord Beaconsfield, and in matters affected by foreign policy had staked their reputation on Peace and Retrenchment. The following is a note of their own war expenditure:<sup>1</sup>—

1880-1.	Transvaal	.	.	.	.	.	£656,000
1881-2.	Transvaal	.	.	.	.	.	1,769,000
.	Zulu wars	.	.	.	.	.	135,000
1882-3.	Egyptian expedition	.	.	.	.	.	3,895,000
.	Transvaal	.	.	.	.	.	14,000
1883-4.	Egypt	.	.	.	.	.	381,750
1884-5.	Relief of General Gordon	.	.	.	.	.	300,000
.	Nile expedition	.	.	.	.	.	1,324,000
.	Soudan	.	.	.	.	.	964,000
.	Bechuanaland	.	.	.	.	.	725,000
1885-6.	Vote of Credit (Afghanistan and Egypt)	.	.	.	.	.	9,451,000
Total in five years							£19,615,250

#### LORD SALISBURY'S FIRST ADMINISTRATION, 1885-86.

Lord Salisbury's first administration held office for little more than six months. Its achievements were thus described in the "Annual Register." "Lord Salisbury had taken the seals of the Foreign Office at a moment of extraordinary perplexity, and had succeeded rapidly in smoothing over the difficulties with Russia arising out of the Afghan frontier, in establishing more friendly relations with Germany, and in some degree assuaging the bitter hostility of France. In the Balkan Peninsula, in face of an unexpected crisis, he had assumed the position of protector of the rising nationalities without openly arousing the ill-will of either Russia or Austria." He had by tact and judgment united the European Powers, so that in the space of three weeks an Egyptian loan of £9,000,000 was floated, and the danger of an immediate collapse averted. He had grappled successfully with the crisis brought about by the intolerable conduct of the tyrant of Burmah, and, after careful consideration, added that country to the British Empire. The necessity for the Burmese War was fully recognised by the Liberal leaders. "It has been made," said Mr. Gladstone, "for the gravest public reason. It was a war made in perfect good faith; it was made on grave political causes, and it is supported by great, and, I think, irresistible authority. . . . I do believe that it has been in reality and intention a defensive war."

<sup>1</sup> Parliamentary Return, No. 338, moved by Mr. Childers.



**MR. GLADSTONE IN OFFICE, JANUARY TO JULY 1886.**

From January to July 1886 Mr. Gladstone was again in power. This time there was no violent reversal of the Conservative foreign policy which in 1885 had "taken up the broken thread of Britain's Imperial traditions," and with Lord Rosebery at the Foreign Office the continuity of our foreign relations was substantially maintained.

**LORD SALISBURY'S ADMINISTRATION, 1886-92.**

The state of affairs from July 1886 to August 1892 presented in every way, and in every quarter of the globe, a remarkable contrast to what existed between 1880 and 1885.

We heard little of Foreign Affairs, and less of warfare. Judged by Mr. Gladstone's test, and indeed by universal admission, the administration of Foreign Affairs was a conspicuous success. Yet there never was a Government under which so much was done to settle difficult problems, to develop British commerce, and to extend the sovereignty and the influence of the Queen.

**EUROPE.**

The relations of Great Britain with all the Powers of the Continent were amicable and cordial. A new Postal and Telegraphic Convention was negotiated with France and Germany, a provisional arrangement on pressing financial questions with Bulgaria, and a favourable commercial treaty with Greece.<sup>1</sup> A convention was entered into with Germany and other Powers for suppressing the slave trade,<sup>2</sup> and at the instance of Great Britain an International Conference upon the slave trade was held at Berlin.<sup>3</sup>

**ASIA.**

It fell to Lord Salisbury's short administration of 1885 to extricate the country from the complications with Russia upon the Afghan frontier, to secure the one diplomatic success obtained by Great Britain throughout these negotiations, and to bring the question to a substantial settlement. The work of defining the line of the frontier in detail required more time. A Joint-Commission subsequently carried this out, and the settlement was completed, a question of some difficulty which arose having been resolved in favour of the Afghans. The limits of Russian advance between the Oxus and the Persian frontier were thus definitely laid down, while our relations with Afghanistan were those of cordial alliance. The pacification of

<sup>1</sup> 1890.<sup>2</sup> 1887.<sup>3</sup> 1889.

Burmah was thoroughly carried out, and has resulted in a large increase of trade; while an important treaty was made with China,<sup>1</sup> placing the relations of that great empire to our Burmese province on a satisfactory footing. The territory of Sikkim was protected from Tibetan aggression, the turbulence of the tribes of the Black Mountain repressed, and the influence of Great Britain over Manipur promptly restored. A British protectorate was established over North Borneo, Brunei, and Sarawak, including an area of about 70,000 square miles.

#### AFRICA.

If the most discreditable chapters in the history of Mr. Gladstone's administration were connected with events in Africa, that continent has since been the scene of the most remarkable of Lord Salisbury's bloodless triumphs.

*Egypt.*—The position taken up by the Conservative Government was clear and distinct. They were free from responsibility for the events which had necessitated the occupation of Egypt; but they recognised that the occupation had imposed upon us responsibilities to Egypt itself, as well as to the interests of the British Empire. They had taken an early opportunity of declaring that our stay in the country was temporary, but that "the limit was not a limit of time, but a limit of the work we have to do."<sup>2</sup> That work is to reform the internal administration of Egypt, to place her finance on a sound basis, to educate her people, and to reorganise her army, so that she may be able to stand alone, without danger of any other Power stepping into the place which we vacate. In these objects much progress was made. From 1887 onwards the Egyptian finances have shown surpluses steadily increasing in amount. That of 1890 reached the large figure of £E.599,000, that of 1891 the still larger one of £E.1,074,000, and that of 1892, in spite of extensive reductions of taxation, the substantial one of £E.769,000.<sup>3</sup> This has been attained concurrently with a remission of taxation in 1890 amounting to £175,000. "It may be said with confidence," reported Sir E. Baring,<sup>4</sup> "that it would require a series of untoward events, the occurrence of which is in the highest degree improbable, to endanger the solvency of the Egyptian Treasury." "With the proviso that the existing political situation in Egypt must undergo no radical change, . . . it is certain that during the next few years it will be financially possible to afford further measures of fiscal relief to the population." In the Budget for 1891 taxes were also remitted to the extent of £E.53,000. The

<sup>1</sup> 1887.

<sup>2</sup> Lord Salisbury at the Guildhall, 9th November 1886.

<sup>3</sup> Parliamentary Papers, Egypt, No. 3, 1893.

<sup>4</sup> Ibid., No. 2, 1891.



revenue of the year 1890 was by far the largest ever collected; the extension of the railway system proceeded satisfactorily; the postal service, including a rural post, was steadily extended throughout the country, and the price of land had risen. An economy of £E.350,000 a year was effected by a conversion of the debt, and from 1886 to 1891 no less a sum than £E.1,800,000 was expended by the Government on irrigation works, than which nothing has contributed more to improve the position of the fellahen and to increase the wealth of the country.

The three greatest abuses at the time of the occupation were the *corvée* or forced labour, the *courbash*, and administrative corruption. "Previous to 1883 the whole of the earthwork in the clearance and repairs of canals and embankments was effected by the forced, unpaid, unfed labour of the peasantry. In 1884 this labour amounted to 85,000 men working for sixty days. In 1890, for the first time perhaps in all history, there was no *corvée* in Egypt."<sup>1</sup> The use of the *courbash*, or Egyptian whip, was put down, and while administrative corruption had not disappeared, it had greatly diminished. The occasion and the facility for bribery had been greatly lessened. A native army of 13,000 officers and men had been organised under British officers, and the invasion of the Dervishes successfully repelled. Increased security had been obtained by the reoccupation of Tokar, which has placed extensive tracts of desert in the Suakim district as well as in the Nile valley between the Egyptian position and any spot where a dervish force could concentrate. Educational progress had been unmistakable and in every way hopeful for the future, the hospitals and prisons had been reformed, and "it could be said that the slave trade in Egypt is extinct, and that slavery is moribund." The progress thus recorded up to 1890 was fully maintained during the following year. In 1892 Sir E. Baring reported special achievements in irrigation, less crime, and "real progress in the direction of giving life to the legislative machinery created in 1883."<sup>2</sup>

A commercial convention was concluded between Britain and the Khedive.

In 1887 a convention was made between Britain and France, approved by Spain and Italy, Germany and Austria, by which the signatory Powers agreed to guarantee the neutralisation of the Suez Canal, its freedom as a waterway at all times being recognised, but belligerents being forbidden to embark or disembark in the Canal or its "ports of access" troops or munitions or material of war.

*The Suez Canal Shares.*—The purchase of these shares by Lord Beaconsfield was not only a far-seeing act of statesman-

<sup>1</sup> Sir E. Baring's Report, Parliamentary Papers, Egypt, 'No. 3, 1891.

<sup>2</sup> Ibid., No. 3, 1892.

ship, but a "financial operation" of a most profitable description. It gave us a title as well as an interest of a more direct kind to protect our indirect commercial and political interests in that part of the world. How has it turned out in a money point of view? It was described by Mr. Gladstone at Glasgow, on 5th December 1879, as a "mere delusion," and "a financial operation of a ridiculous description."

176,602 shares were offered for sale by the Khedive in 1876. We bought them at the price of £4,000,000. On 1st July 1894 they will be worth £19,000,000, as explained by Mr. Goschen in a Budget speech. But as we were to receive till 1894, 5 per cent. interest from the Egyptian Government, and borrowed the £4,000,000 at  $3\frac{1}{2}$  per cent., the difference between £140,000 and £200,000 yearly has been saved, and had in 1888 paid off £800,000 of the original £4,000,000. At this rate the whole would be paid off in 1933, and the country would have the shares at their then value, free of cost. But this is not all.

In 1894 the shares are to receive no longer merely 5 per cent., but become entitled to their full proportion of the profits of the Canal, which is now paying about 15 per cent., and will probably then be paying still larger profits. The country will then draw not merely £200,000, but something like £570,000 a year.

Yet more remains to be told. The shares enabled Mr. Goschen to provide without a penny of additional taxation the sum of £2,300,000 required in 1888 for the defences of our harbours and coasts. He could then borrow at  $2\frac{3}{4}$  per cent., and proceeded to do so to pay off the £3,200,000 then remaining due. The interest receivable from 1894 onwards will be applied to discharge the £2,300,000 borrowed for fortifications, which will all be paid off by 1899.

In September 1893 the shares were estimated by Sir William Harcourt to be worth £17,750,000. £3,805,000 of the purchase-money had been paid off by the sinking fund, and the dividends of the Canal Company had been 17 per cent. in 1890, 21 per cent. in 1891, and 18 per cent. in 1892.

Where is the "delusion," and who is "ridiculous"?

*Zululand.*—The troubles in this country were overcome by a judicious arrangement with the Boers,<sup>1</sup> and the proclamation of British sovereignty, at the desire of the Zulus themselves, over Eastern Zululand.<sup>2</sup>

*Swazi-land.*—The difficulties which arose from the same causes further north were also dealt with by a convention with the Transvaal,<sup>3</sup> by which the independence of the Swazis was guaranteed.

*Amatonga-land.*—British protection was also extended to

<sup>1</sup> Dec. 1886.

<sup>2</sup> Feb. 1887.

<sup>3</sup> 1890.

this country, lying between Zululand and the Portuguese possessions in the East.

*Bechuana-land, Matabele, and Mashona-land.*—The erection of part of Bechuana-land into a Crown colony in 1885, and the extension of British influence over Matabele and Mashona-land, were followed by the incorporation of the British South African Company, and settlement of Mashona-land.

*Zanzibar.*—Under British influence slavery was abolished at Zanzibar,<sup>1</sup> important concessions secured for the British East African Company,<sup>2</sup> and Zanzibar declared a free port by the Sultan.<sup>3</sup>

*The Niger Districts.*—A protectorate was formally proclaimed over these districts in October 1887, including the territories subject to the Royal Niger Company.

*The Partition.*—Most important of all was the amicable settlement, as far as human wisdom can settle anything, of the conflicting claims and recognised spheres of influence of the various European Powers. Nothing reflects more credit on the statesmanship of to-day than the manner in which the question of African empire was dealt with by Lord Salisbury and his continental contemporaries. By firmness and by conciliation the Minister of Britain, with full respect to the claims of others, secured for his country an empire of enormous extent, and a future in Africa which opens up possibilities as great as any achievements which her history records in Asia or America.

After the race for Africa had begun in earnest, the Germans and Portuguese developed an argument known as the "Hinterland" doctrine, which contained very serious consequences for British interests. It was to the effect that a settlement on the coast by a European Power should be held to carry with it the right to all that lay behind that coast. Applied in the case of Portugal, which possessed settlements both on the east and west coasts, at Mozambique and Angola, it would have cut off our colonies from all access to the interior, and stretched a broad belt of Portuguese domination over lands which Livingstone had done most to open. Applied in the case of German settlements, it would have had consequences less conspicuous, but scarcely less serious. The extravagance of the Hinterland doctrine was curbed, the rights of British enterprise were asserted, and agreements were made with the other Powers by which their respective spheres of influence have been successively defined.

*The Claims of Portugal.*—By none were more extravagant pretensions put forward than by this old but effete occupier of African territory. In the close of 1889 a force under Major Serpa Pinto attacked the Makololo tribe in the Nyassa region, who had previously accepted the protection of the British flag,

<sup>1</sup> 1890.

<sup>2</sup> 1887 and 1888.

<sup>3</sup> 1891.

and in whose neighbourhood many British subjects had settled. The Portuguese boarded British steamers and pulled down the British flag. Lord Salisbury presented to Lisbon<sup>1</sup> a "categorical request for an immediate declaration" that the forces of Portugal would not be allowed to interfere with the settlements on the Shiré and Nyassa, with the country of the Makololo, or the country under the government of Lobengula (south of the Zambezi), or any other country under British protection. The reply being only so far satisfactory, it was intimated that before accepting it the British Government must learn that precise instructions, which were clearly specified, had been sent to the Portuguese authorities at Mozambique. The attitude at Lisbon being still unsatisfactory, an ultimatum was presented, in which the British Government "desired and insisted that the following telegraphic instructions be sent immediately to the Governor of Mozambique: 'Withdraw immediately whatever Portuguese forces actually on Shiré, and the territories of the Makololo and Mashona land.'" At the same time the East African squadron was ordered to Mozambique, and the Channel Fleet left with sealed orders to take up positions off the Tagus, the Cape de Verde Islands, and the Azores. "In presence of an immediate rupture of relations," the Portuguese Cabinet "ceded to the exigencies recently formulated." In the following summer a convention was drawn up by which Portugal surrendered all the points in dispute, and waived her claims to the tract of country which would have cut off the Nyassa district from the British possessions in the South. The Portuguese Chamber refused to ratify it, but it was allowed by Lord Salisbury to subsist as a *modus vivendi* for six months. A British naval force also entered the Zambezi, and asserted its freedom as a waterway.

*The Anglo-Portuguese Agreement.*—In 1891 an agreement was arrived at, and the spheres of influence of the two countries defined.

*The Anglo-German Agreement.*—In June 1890 the signature of one of the most important documents ever drafted by statesmen signalled the greatest of Lord Salisbury's triumphs, and the completion of negotiations which comprehended the whole relations of the two countries in Africa. In securing the principal points of vantage in a continent, it is of importance to obtain the great waterways—whether by lake or navigable river—for the purposes of commerce. In the continent of Africa there are four great navigable highways—the Nile, the Niger, the Congo, and the Zambezi. Lord Salisbury secured for this country possession of the main streams of three of these great highways, while the fourth—the Congo—has been declared neutral and free to the trade of the world, and he planted our

<sup>1</sup> January 6, 1890.

flag on the shores of every one of the great central lakes of Africa.

*Central Lakes.*—Among the Great Lake States Lord Salisbury secured for us the empire of Uganda, lying along the coast of Lake Victoria, with an estimated population of about 5,000,000, and an extent of 70,000 square miles, and the sovereignty over Ruanda, which has a population not fewer than that of Uganda, and occupies a lofty, well-watered plateau, considered highly suited for European colonisation. Besides these, we obtained the district of Unyoro, which extends along the shores of the Albert Nyanza and Lake Albert Edward, an immense tract of fertile and well-watered country, having unlimited resources in its immense herds of cattle and in its minerals—the iron forgers of Unyoro and Uganda vying with each other for excellency in workmanship.

*East Africa.*—In securing for us the paramount sway at the Court of Zanzibar, Lord Salisbury obtained the goodwill of the foreign trade of that State, which not long afterwards amounted to £2,000,000 per annum, and which (since the German Company was formed) had been gradually slipping from our hands into those of our rivals, without our being in a position to check the loss. Zanzibar has for many years been the great gateway for all commerce passing between East Africa, India, and Europe. In addition, we secured a valuable coast-line of over 400 miles—for the most part under the Sultanate of Zanzibar—where are found some of the best harbours on the whole east coast of Africa. A short distance from the island of Pemba lies the great natural harbour of Mombasa, the chief port of the British East Africa Company, which has a magnificent landlocked bay, sufficient, it is said, to hold nearly the whole British navy. In a very short time it was reported that piers and jetties had already been erected, and beacons and lights set up for the assistance of mariners, such as cannot be found elsewhere on the whole coast. The Indian sappers and miners in the employ of the Company before long built a splendid new town, and they proceeded with redoubled energy to complete the tramways around the port, and the great railway to the Victoria Nyanza,<sup>1</sup> a distance of 400 miles. Materials for 30 miles of the railway were soon laid down, while arrangements for placing steamers on the lakes were completed. Soon, it was expected, the vast resources of the interior would be within a couple of days' journey from the coast, and the trade with the teeming millions inhabiting the fertile regions around the Great Lakes in British hands. Meantime, subsidiary roadways were rapidly

<sup>1</sup> This is the railway the steps necessary for the construction of which were so bitterly obstructed in the House of Commons by Radical members. See *infra*, "Uganda," Chapter XIV.

being formed, converging on the line of railway, and numerous trading-stations were erected throughout the territory; while the natives fully recognised their new governors. A vote of £20,000 in aid of the preliminary survey for the railway to Lake Nyanza, was in 1892 carried through the House of Commons in spite of bitter Radical opposition. Sir Richard Temple stated in Parliament that by the Anglo-German Treaty Lord Salisbury had added a million square miles of territory to the Queen's dominions, being an addition of one-eighth to the Empire.

*West Africa.*—On the West Coast there was secured to us the waterway of the great river of the North, the Niger, which is now under the highly successful administration of the Royal Niger Company. That Company has a capital of £1,000,000 fully subscribed, and includes under its control the empires of Sokoto and Gando, which are the largest, the most populous, and most extensive empires in the Western Soudan, having a population of 10,000,000, and almost unlimited resources in their rich agricultural districts, and their valuable cotton, coffee, and cocoa plantations, as well as in the immense product of palm-oil. The trade of the Company increased at the rate of nearly £40,000 within two years. Although it is true that the Niger had been recognised by Germany as under our influence by arrangements made by Lord Salisbury previously, under the Anglo-German Agreement, he added the adjoining territories which are administered by British companies (one of which, founded in Liverpool, has a capital of £2,000,000, and carries on an immense trade on what are known as the Oil Rivers).

*Zambesia.*—This vast territory, which is rendered sacred to every Briton by the life and death of Livingstone within its borders, and which, having become valuable by reason of British wealth and energy, was claimed partly by Germany and partly by the Portuguese, was finally secured to us. This is the territory to which has been given the name of "Livingstone Land." In the northern section of this district, during the last two decades, Scottish traders, banding themselves together under the title of the "African Lakes Company," have built up a valuable trade around a score of settlements, both along the shores of Lakes Nyassa and Tanganika, and in the Shiré Highlands. The territory extends to nearly 40,000 square miles, and it is being rapidly developed by means of steamships upon Lakes Nyassa and Tanganika, and by roadways such as the "Stevenson" Road, which have now become the highways of an ever-increasing and valuable trade between the Indian Ocean and the heart of Africa. Further south the territories of Mashona-land and Matabele-land were also brought definitely under our flag, over 100,000 square miles in extent, and well known to be rich in gold reefs, which have



already attracted a large volume of emigration from the more southerly States of the colony. Thanks to the efforts of Lord Salisbury, the Zambesi waterway was opened as an international highway to carry those valuable exports of gold and other wealth from Mashona and Matabele lands to the ocean. The agreement secured for us "free trade" throughout the narrow strip of 120 miles of German territory north of Tanganika (which alone prevents our possessions on the North from joining hands with those of the South).

*The Anglo-French Agreement.*—A little later a similar agreement, only second in importance, was made with France. France recognised the British protectorate of Zanzibar, and Britain hers of Madagascar, and it was specially agreed that "the missionaries of both countries shall enjoy complete protection and religious toleration, and liberty for all forms of worship shall be guaranteed." A line was drawn from Say, on the Upper Niger, to Barruwa, on Lake Tchad, securing to British influence the whole of the kingdom of Sokoto. South of this all is British, north of it French. It gives to Britain access to Lake Tchad, the great lake of that part of Africa, complete possession of the waterway of the Niger, and the country, which is incomparably the most valuable.

*The Anglo-Italian Agreement.*—A similar agreement was also made with Italy in 1891 defining the limits of the British and Italian spheres in the north-east of the continent.

This series of treaties is without precedent, and it may be questioned if any single statesman ever did so much to shape the destinies of millions of men as Lord Salisbury has done, without requiring a single vote of credit, or sacrificing a single soldier's life. Certainly none has ever surpassed his diplomacy in opening up without loss of life or treasure vast fields for the commerce and enterprise of his fellow-countrymen. As the result of his policy in Africa and elsewhere, upwards of 2,000,000 square miles of territory were brought under the British flag, and a population of nearly twenty millions has been brought under British influence, and within the reach of civilisation. We may leave his work in Africa by recording the comment of Mr. Gladstone upon it: "As to the African portion of the question, I think it my duty to give unqualified credit to Lord Salisbury for the spirit in which he has set about this agreement. It is a good spirit, having regard to the best interests of England, and is also the spirit of one who did not wish to view those interests in a narrow or selfish manner, but who desired in the discharge of this great colonising, protecting, or superintending function, that the benefits should extend ungrudgingly to all countries in the world."

## AUSTRALASIA.

*The New Hebrides.*—In October 1887 a convention was concluded with France in reference to the New Hebrides, by which the withdrawal of French troops was amicably effected, and British rights safeguarded.

*New Guinea.*—In September 1888 the sovereignty of the Queen was formally proclaimed over the British portion of the island (97,000 square miles), and this was followed by edicts prohibiting the supplying of natives with firearms, intoxicating liquors, or opium, or the enticing or kidnapping of natives from their homes.

*Samoa.*—The high-handed action of the Germans in these islands, who had driven away the native King and set up another prince in his place, had been followed by civil war, and by energetic protests from Great Britain and the United States. Ultimately the acts of the German authorities were disavowed by their Government, and the King restored. A conference of the three Powers was held in 1889, which resulted in a full acknowledgment of the independence of the Samoa Islands, a declaration of the absolute neutrality of the three Powers, and a pledge of abstention from future interference with the internal politics of Samoa.

Other islands in the Pacific were added to the Empire, the position of which is of importance in view of increasing cable communications between the various parts of the Empire.

*Western Australia.*—Constitutional government was in 1890 conceded to Western Australia, and the political system of all the colonies on that continent thus completed.

*Colonial Conference and Imperial Defence.*—One of the first acts of the Government was to advise Her Majesty to authorise communications to be entered into with the principal Colonial Governments on matters of common interest. The first Imperial Conference was held in London in 1887, and an arrangement was subsequently made for the provision of an Australian squadron, and mutual action in Imperial defence.

## AMERICA.

*Canadian Fisheries.*—The conflicting interests of Canadian and United States' subjects in the fisheries on the east coast of America have always been a fruitful subject of difficulty. In 1888 these disputes were referred to a Commission, and a *modus vivendi* was arrived at, the duration of which was subsequently prolonged.

*Behring's Sea Seal Fishings.*—A problem of equal difficulty



existed on the west coast of America in the question as to the rights of fishing for seals in Behring's Sea. After a long correspondence an agreement was arrived at in 1891 providing for the reference of the differences to arbitration. Pending the arbitration, a *modus vivendi* for the year 1891 was agreed to on terms distinctly favourable to the United States. Delays occurred in the ratification by their Senate of the Treaty, and in 1892 they demanded a continuance of the *modus vivendi*, which, if further prolonged on the same terms, would have prejudiced the rights of Canadian sealers. For a short time there was some tension, but the courtesy and judgment of Lord Salisbury led to an agreement by which either nationality gave security for damages from its action pending the decision of the arbiters, should it be found to be wrong. The Treaty was ultimately unconditionally ratified by the American Senate. The award, published in August 1893, which decided that Behring's Sea was an open sea, that the United States had not the jurisdiction claimed over, and had not any property in, the fur seals frequenting the islands when outside the three mile limit, was received with great satisfaction in this country. The regulations approved by the Arbitrators for the future protection of the seals somewhat curtailed the rights claimed by sealers, but will, it is to be hoped, conduce to their benefit by preserving an animal in danger of destruction.

*The Newfoundland Fisheries.*—Similar complications existed in reference to the rights of France and of our colonists in Newfoundland in the fishings on what is known as the French shore on that island. Certain rights had been recognised as belonging to French fishermen from the time of the Treaty of Utrecht, and the relations of the Colonial and French fishermen were a constant subject of friction. An important effort was made to bring this troublesome question also to a final settlement, and compose these long-standing differences. An agreement was arrived at with the French Government providing for a temporary arrangement, and a future settlement by arbitration. On February 9, 1892, Lord Salisbury made this statement: "If Her Majesty's Government had been let alone we should have procured a settlement. Our efforts had the very fairest promise of success. But unfortunately a bill was necessary. When it got into the other House the observations that were made by gentlemen who believed and announced themselves to be on the point of coming into office at an early day were such as to entirely destroy in the French Government any hope that they would obtain the execution of the decree of the arbitrators who might be appointed. The result is that since that speech was delivered we have not moved an inch, and the French Government have not submitted to the Chamber a ratification of the engagement

upon the strength of which we submitted that bill to Parliament. But it is fair to say that the French Government are, I believe, waiting the results of legislation which has been promised in the Newfoundland Assembly."

The contrast between the foreign policy of 1880-85 and that of 1886-92 is a startling one. Lord Salisbury's success, no less than Mr. Gladstone's discredit, shows the importance of a firm hand, of constant attention, of restraint in speech on public platforms, and of a courteous but assured attitude in dealing with foreign countries. The abandonment of our own subjects brought no increase of friendliness from foreigners. The firm assertion of British interests proved consistent with increasing respect and cordiality in international relations. The cardinal points of Conservative foreign policy are to jealously guard the development of British commerce and the legitimate interests of British subjects in every part of the world, to cultivate friendly relations with all nations, but to watch carefully the advances of Russia towards our Indian frontier, to secure that no foreign intrigue and no clamour of a faction in search of a cry shall endanger the results of twelve years' sacrifice in Egypt, and to see in the triple alliance of the three central European Powers—Germany, Austria, and Italy, the most constitutional in their government, and the most pacific in their interests—a guarantee for the peace of the world, thoroughly consonant with the interests of this country, which it would be folly on the part of British statesmen by word or deed to prejudice or imperil.

## CHAPTER II.

### THE UNIONIST GOVERNMENT AND NATIONAL, COLONIAL, AND INDIAN DEFENCE.

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#### I.—THE NAVY.<sup>1</sup>

*“ We ask this increase of naval force for the protection of home and domestic interests alone. Our commerce and our ships are amongst the oldest industries of our country, and it is through them that many of our industries have been brought into existence, and fostered in the inland counties. It is by the maintenance of that commerce alone that that huge industrial system of employment which exists in this country can be sustained, and which alone enables 36 millions of people to live in these islands.”*—LORD GEORGE HAMILTON in the House of Commons.

HISTORY shows, and men of all parties are agreed, that a strong Navy is essential not only to the power of Great Britain, but to the existence of the trade which provides the means of life for vast numbers of the working-classes. The Navy is our first defence against invasion; it is essential to the protection of our own home coasts, and of our colonies, where so many of our people have found fresh homes; it is necessary not only for mere fighting purposes, but to protect the capital and the interests invested in our merchant ships, and the commerce they carry. In any future war it will have a task such as it has never had before, in safeguarding the food-supplies from abroad on which so many of our people depend. Recent naval manœuvres have shown how steam-power has made it possible for hostile cruisers to elude our fleets, and do an infinity of damage before they can be caught. Statistics will be found in chap. xv. showing the magnitude of the commercial and shipping interests which the British navy is called upon to protect. Should a hostile combination ever prove too much for the Royal Navy, it is not merely national honour or national wealth that would suffer. The results would be felt in every household, in commercial ruin, in pinching and in poverty to many, and in possible starvation to numbers in our large towns. No prudent man who has large interests now neglects to insure them; and an expenditure upon

<sup>1</sup> The naval problem of the hour will be found more fully discussed in Chapter xv., dealing with the naval policy of the present Government.

the national defences is simply a small insurance payment by each taxpayer for the security of that on which the profits and the existence of his own business depend. The late Unionist Government deserve credit, therefore, in no small degree for their great work on behalf of the British Navy.

*Standard.*—A few years ago there was practically only one great naval Power besides ourselves. Now various European States are competing in the building and arming of ships. A hostile combination of their navies, or of some at least, might very possibly occur, and none of them have the work to do in guarding an extended commerce that falls upon ours. To meet this new danger the late Government adopted a standard for the Navy, viz., that in future it must always be maintained at a strength equal to that of the combined navies of any two Powers. This is an admirable arrangement, and, if loyally carried out, it frees the Navy from the danger of suffering through the Budget exigencies or supine indifference of future Governments, and ought to put a term to the days of panic and push, alternating with short-sighted economy and neglect. The strength of foreign navies is known at all times with almost mathematical certainty, and therefore under this system the question whether our Navy is up to proper strength need never again be matter of doubt or discussion, either between political parties or between the Treasury and the Admiralty—doubt and discussion always detrimental to public credit and national security. The responsibility is now fixed with the First Lord. If the Treasury fails to supply him with the resources necessary to maintain the Navy at the required standard, he must resign and let the country know and judge. As shown elsewhere, however, no sooner was the present Government in office than they began to neglect the requirements of the standard, and this, together with great activity in the shipbuilding yards of France and Russia, forms a source of danger to the country. It was not until they were assailed by the vigorous protest of the Opposition and the press that the Gladstonian Government recognised the necessity of doing something in the matter.

*Special Programme.*—In order to bring the Navy up to the standard, the late Unionist Government found it necessary to make a considerable addition to the number of ships, and they deemed that it was conducive to economy and efficiency that the lines on which this addition was to be made should be clearly laid down by a definite scheme for the next few years. The scheme, for which they obtained the sanction of Parliament,<sup>1</sup> authorised the addition to the Navy of 70 ships, consisting of 10 battle-ships, 42 cruisers of various dimensions, and 18 torpedo

<sup>1</sup> Naval Defence Act, 1889. This bill was bitterly opposed by a large section of the Gladstonian party.

boats. To provide these, and the guns to arm them, cost £21,500,000. But it would be a mistake to suppose that all this sum of money is additional expenditure. It is not so. £11,500,000, or more than half of it, forms part of the ordinary Estimates, which are in reality increased only by £215,000 a year. The construction and armament to which this £11,500,000 has been devoted are to be done by the Government dockyards, which undertook 38 out of the 70 vessels. As regards the other 32 vessels, costing the remaining £10,000,000, the work was put out to contract. The money is to be raised by spreading the necessary taxation over a period of seven years, giving a charge of £1,450,000 in each year.

*New Ships.*—During the period of Unionist Government 112 war-ships were actually completed for sea, and provision was made by the Naval Defence Act of 1889 for the completion of 20 in 1892–93, and 35 subsequently. Under the new programme of 1887 new ships of war were completed, or laid down and advanced towards completion, to the number of no fewer than 148. The Navy thus secured an increase of 316,000 tons and 541 heavy guns.

In 1892 the Admiralty inaugurated a new scheme of ship-building. This scheme began by the laying down of 3 first-class ironclads and 10 torpedo boats. The plan of the ironclads was carefully considered, and special provision has been made for quick-firing guns. Under this scheme it was proposed to build in five years, in addition to ships already built or designed, 7 battle-ships, 12 cruisers, 12 gunboats, and 70 torpedo boat destroyers.

Provision was made for rearming and re-engining ironclads which would otherwise have become non-effective. In this way a large number of vessels have been added to the effective strength of the Royal Navy. Provision has been made for the following:—

Rearmoured	.	.	.	.	.	.	.	10
Re-engined	.	.	.	.	.	.	.	5
Reboilered	.	.	.	.	.	.	.	9

Careful attention was given to the supply of docks for the Navy, and two new docks were begun at Portsmouth.

A special squadron for service in Australian waters was constructed and despatched.

#### LARGE SHIPS COMPLETED OR TO BE COMPLETED.

	1880–5.	1885–90.	1890–5.
Armoured ships . . . . .	7	15	12
Belted cruisers . . . . .	0	7	...
Cruisers . . . . .	7	31	51
	—	—	—
Total . . . . .	14	53	63

Under Mr. Gladstone (1880-86) 15 per cent. of the total expenditure on the Navy, exclusive of armaments, went to the building of new ships. Under Lord Salisbury 27 per cent. of the total was applied for this purpose.

*Shipbuilding.*—Special powers were obtained for the uninterrupted prosecution of this shipbuilding programme, so as rapidly to reach the standard strength.

Extensive reforms were carried out in Dockyard Administration, including more speedy and economical methods of shipbuilding.

By wise administration the late Government largely reduced the cost of incidental services for shipbuilding and repairs; they made regulations by which men, once put on shipbuilding, are kept there, and not taken off for other purposes; they established a form of account which is working admirably. "These alterations," Lord George Hamilton was able to say, "have effected a perfect revolution in the dockyards. Ships are being built with a rapidity never before known in Government dockyards, and it has been proved that rapidity of construction means economy in construction. The *Royal Sovereign*, one of the largest ships ever built in this country, was completed in the unprecedentedly short time of two years and eight months, whilst the *Trafalgar*, another enormous vessel, took only seven months longer, and that with a saving on the original estimate of no less than £100,000. In France a line-of-battle ship takes ten years to build, and in England, under Mr. Gladstone (1880-85), seven years were allowed for the building of an ironclad.

The rapidity of construction is of advantage in two ways, apart from the great object of having the ships afloat as soon as possible. It is found to save money, and it saves waste of the ship's material; for the longer she is on the stocks the shorter is her life as an effective ship.

The average annual earnings of men employed in the dockyards increased from £62 to £70 per annum. The lowest pay of ordinary labourers was raised from 15s. to 18s. per week. The established pay of skilled labourers was raised from 19s. 6d. to 23s. per week. The maximum established pay of hired shipwrights was raised from 30s. to 33s. per week, and of joiners from 27s. to 30s. per week. The wages of all "leading men" were advanced by 6d. a day. It was settled that a fixed number of workmen on the old establishment are to be gradually advanced from the lower to the higher rate of pay, irrespective of vacancies. Gratuities on discharge through reduction of work were granted after seven years' service instead of twenty years' service as formerly.

Closer attention was given to the construction and performance of boilers in the Navy, and a permanent committee

of experts was appointed to assist in the preparation of designs. Ships recently constructed have shown remarkably improved results in this respect.

*Men.*—The *personnel* of the Navy was largely augmented to meet the increase in the number of ships in commission, &c. Between 1881 and 1886, under Mr. Gladstone, the number of available men fell off by 700. Under Lord Salisbury it increased by nearly 13,000. Provision has now been made for a strength of 76,000 officers and men.

With a view to obtaining naval recruits from the North, where “a large proportion of the hereditary seafaring class is now to be found,” a new training-ship was placed in the Firth of Forth.

*Officers.*—A scheme for the better technical education of naval officers was initiated.

*Armaments.*—The cost, custody, and administration of naval ordnance were transferred to naval votes, so as to give the Admiralty financial responsibility, and prevent delay in supply.

Great advance was made in the provision of ordnance, which is now always ready, so that the ships which are to carry it have never as formerly to wait for their armament. In 1891 396 heavy guns were completed, as compared with 240 in the preceding year.

Reserves of ordnance and ammunition were largely increased.

The number of breech-loading guns afloat and mounted was more than quadrupled between 1885 and 1892.

Large quick-firing guns and smokeless powder were introduced.

British gun factories for the manufacture of heavy ordnance were developed and encouraged.

Important experiments were made with iron-plating.

*Coaling Stations.*—These stations both at home and abroad were fortified and protected by mines and heavy guns and quick-firing ones.

*Organisation.*—A Naval Intelligence Department was organised.

The Channel Squadron was reorganised, and powerful new ironclads were substituted for obsolete types. The strength of the Mediterranean Squadron was raised to ten powerful ironclads, with ten armoured cruisers.

Improved methods of steam trials for ships of war were adopted.

Improved arrangements were made for coaling in peace and war, and the important coaling stations were fortified.

A chain of signal stations connected by telegraph round the coast of the United Kingdom was established.

Over a hundred vessels were annually engaged in naval manœuvres, from which valuable practical lessons were derived.



*Reserves.*—A subsidised reserve of merchant cruisers was formed, consisting of thirteen of the fastest mail steamers afloat, specially fitted for use as armed cruisers in time of war; and the right to take for naval service fifteen other fast steamers of the same class, without subsidy, was secured. Armament for fifty such vessels was laid in.

Mercantile marine officers were encouraged to join the Reserve, the number of the second-class reserve of seamen was raised to 11,000, and steps were taken to form a reserve of firemen.

A plan for mobilising the Naval Reserves was adopted.

New arrangements were made for keeping the ships in reserve in a condition of effective preparedness.

*Finance.*—The form of the Navy Estimates was improved, so as to give more complete and intelligible information to the public, and an independent audit of the shipbuilding and store accounts was provided for, under which money cannot be used without the knowledge of Parliament. Supplementary Estimates or Votes of Credit were required by Mr. Gladstone (1880–86) for naval purposes to the extent of £7,672,000. Under Lord Salisbury only £819,000 was required in this way.

*Summary.*—The following table, presented to Parliament on March 8, 1892, by the First Lord of the Admiralty, shows the progress during the six years of Unionist Government:—

SHIPS (FIGHTING).	1886.	1892.
At home (excluding coast defence ships, gunboats, and torpedo boats) . . . . . }	15	21
Displacement tonnage . . . . .	110,000	154,500
Abroad—total of all classes . . . . .	96	110
Displacement tonnage . . . . .	205,800	307,000
Complements abroad . . . . .	18,100	23,350
In reserve, ready for commission (excluding coast defence ships, gunboats, and torpedo boats)—		
Fleet reserve—		
Division A. . . . .	...	6
Division B. . . . .	...	11
Old first-class reserve . . . . .	10	2
Displacement tonnage . . . . .	25,700	82,200
Ships of fifteen knots speed afloat (excluding torpedo boats) . . . . . }	57	140
Personnel—officers and men (active list) .	61,400	74,100
Royal naval reserve . . . . .	18,300	23,500
Ordnance—		
Breech-loading guns (afloat and in reserve)	499	1,868
Light quick-firing guns (afloat and in reserve)	33	1,715
Torpedoes (afloat and in reserve) . . .	820	2,874



## II.—THE ARMY.

*Organisation.*—During the six years of Unionist Government, much was done to prepare fully and carefully for national defence in the event of war, the comfort of the soldier was increased, and large and far-reaching reforms were carried through in Army administration, under the wise direction of the late Mr. Edward Stanhope. Two important Commissions carried on inquiries which led to many reforms, the one on the relations between the two great spending departments of the State, and the other on the system of providing and manufacturing warlike stores.

The War Department was entirely reorganised, and complete financial control was extended over all branches. Almost every item of ordinary expenditure showed a decrease since 1886, except such as were due to the increased strength of the Army, the additional grants to Volunteers, and additional weapons and stores.

The Ordnance and Manufacturing Departments were placed on a sound commercial basis, and the construction of guns for the Navy was enormously accelerated.

*Mobilisation.*—Complete arrangements were made for the rapid mobilisation of a Field Army of three Army Corps for home defence, and of a mobile force for foreign service. The staff was arranged, the forces were detailed, and the equipment for a foreign expedition was provided.

A complete scheme was adopted for the defence of London, and the necessary positions were acquired.

The defences of our home ports were completed, in many cases involving entire rearmament. Under Mr. Gladstone's Government "no breech-loading gun, with the exception of two, had been effectively mounted in any of our ports at home or abroad."

The fortification and armament of coaling stations and military forts abroad were accelerated and completed.

*Arms.*—A new and powerful magazine rifle was introduced, 300,000 of these were issued; machine guns were supplied to the Cavalry; a new field gun was supplied to the Royal Artillery; guns of large calibre, to the number of 174, were supplied to the service, besides an enormous number of smaller guns. The means of production of heavy guns and rifles were largely increased by the employment of private contractors throughout the country. Extensive experiments were made with smokeless powder with satisfactory results, and it has now been introduced on a large scale.

The Garrison Artillery was reorganised with a view to in-

creased efficiency. Specialist officers were permanently assigned to important stations, and two schools of instruction for Garrison Artillery officers were formed.

It was arranged that all swords and bayonets should be manufactured in Great Britain.

*Stores.*—The decentralisation of warlike stores was effected, and there are now sixty-two different centres throughout the country with the necessary buildings. The complete separation of inspection from manufacture of arms and stores was arranged for.

Every weapon in the hands of our troops underwent thorough inspection. Fifty-three batteries were armed with new 12-pounders. Manœuvres by Field Columns and Cavalry manœuvres on a large scale were instituted for the first time.

The Commissariat and Transport departments of the Army were transformed into the Army Service Corps on a purely military basis with resulting efficiency and economy. The food of the private soldier was improved.

A large and important scheme for improving camp and barrack accommodation, and the health and efficiency of our soldiers, involving an outlay of £4,100,000, was sanctioned, and an Act (1890, 53 & 54 Vict. c. 55) was passed authorising the expenditure. Under this Act the standard of barrack accommodation both at home and abroad has already been immensely improved.

Rules were framed for the encouragement of temperance among soldiers.

The pay system was localised, with a consequent large saving of expense.

Arrangements were made to throw open a number of appointments in the Civil Service and in the Post Office and other departments, to men of good conduct who have passed through the Army. Arrangements have also been made with the great Railway Companies to employ them.

The rules governing retirement were altered, leading to eventual reductions of the Pension List.

The establishment of General Officers was reduced, and the number was fixed in accordance with the modern requirements of the service.

*Medical.*—The status of Medical and Veterinary Officers was improved by the grant of substantive rank. An Army Medical Reserve was formed, and both hospitals and equipment were provided, in the event of mobilisation.

*Horses.*—The speedy supply of horses in time of war was ensured by a system of registration and the creation of a Horse Reserve. Fourteen thousand horses have thereby been made available in case of emergency. The supply of harness, collars, and bridles was provided for.

The employment of private traders in the supply of stores was largely extended, and the system of open contracts was developed.

*Railways.*—By the National Defence Act, 1888 (51 & 52 Vict. c. 31), powers were taken over the Railways on occasion of national danger or great emergency, and powers to issue requisitions of emergency for the provision of carriages, animals, or vessels, either to be purchased or hired.

*Militia.*—The condition of the Militia was fully inquired into, and steps were taken to advance the efficiency of the force by improving the training and increasing the comfort of the men.

Provision was made for the training of the Militia in brigades. Militia Artillery is to exercise at the posts they would be called upon to defend. Clothing necessary for the Militia, if called upon to take the field, was provided.

A scheme was adopted for reorganising the Yeomanry, and for assigning them their definite place on mobilisation.

*Official Secrets.*—By an Act passed in 1889, provision is made for the punishment of those who divulge to foreign States or others, secret information connected with our naval and military defences.

#### AVERAGE EFFECTIVE STRENGTH OF THE ARMY.

(From the "Statistical Abstract.")

Under Mr. Gladstone.				Under Lord Salisbury.			
1880	.	.	188,986	1887	.	.	209,574
1881	.	.	188,798	1888	.	.	211,105
1882	.	.	189,229	1889	.	.	210,298
1883	.	.	181,971	1890	.	.	209,221
1884	.	.	183,004	1891	.	.	209,699
1885	.	.	198,064	1892	.	.	213,540
<hr/>				<hr/>			
Average	.	.	<u>188,342</u>	Average	.	.	<u>210,573</u>

Increase under Lord Salisbury's Government, 22,231 men.

"Since 1886 the reserve has increased by 24,000. Our military strength of regulars and reserves available for service at home and abroad, as compared with what it was ten years ago, shows an increase of no less than 66,000 men."—*The late Mr. Stanhope in the House of Commons, 7th March 1892.*

"Since Lord Cardwell introduced his great reforms in the army, no Administration has done so much for the army, or has introduced so many beneficial changes in it, as the present Administration under Lord Salisbury."—*Lord Wolseley, 14th May 1888.*

### III.—THE VOLUNTEERS.

More was done during the years of Unionist Government than at any time since the Volunteer force sprang into being, and was first sanctioned and encouraged by the Conservative Government of 1859, to fit it for the duties it has undertaken, and to make it, along with the Army and Navy, a really efficient guardian of the safety of the country.

The Volunteer Capitation Grant was increased from 30s. to 35s. for each efficient, to assist in meeting necessary expenses, and in return a higher standard of efficiency is required. (1887.)

An additional allowance of 12s. per man was granted for the purpose of providing greatcoats, or greatcoats have been issued from the Army Clothing Department. Skobeloff, the famous Russian general, once remarked, referring to our Volunteers: "There is nothing to be feared from a country which gets for nothing the services of 200,000 men, and does not even provide them with greatcoats." This reproach has now been wiped away. (1890.)

A further allowance of 15s. or 13s. per man was made for the provision of other equipment, haversacks, water-bottles, &c., without which the force would be unfitted to take the field. (1890 and 1891.)

Special allowances were made for maintaining equipment. (1890.)

An allowance of 4s. per efficient for travelling expenses to and from rifle-ranges was made in cases where the ranges are situated more than a certain distance from the headquarters of Rifle battalions. (1887.)

A similar allowance to Artillery Volunteers was increased in amount.

An allowance of 2s. per day was granted for attendance at brigade camps. (1889.)

The grant on account of officers who have passed in tactics was increased from 10s. to 30s. (1887.)

A grant of 30s. for a limited number of officers and non-commissioned officers who have passed in signalling was made (1887), and signalling classes were formed. (1888.)

A grant of 30s. for officers who have passed in artillery was also made. (1887.)

Miniature targets and short ranges were introduced where ordinary ranges cannot be safely provided (1887). The use of artificial ranges, gallery, screened, and underground systems was authorised. (1888.)

Allowances were made for miscellaneous expenditure to

Engineer Volunteers, and to Artillery Volunteers for special expenses connected with gun-drill, and for providing a secure and strong enough place to keep guns (1887); for horsing batteries of position (1889); and for transporting guns of batteries of position for long distances (1889).

The purchase of ball ammunition for machine guns, ammunition for competitions in connection with garrison batteries, and a proper establishment for batteries of position were allowed. (1889.)

Cyclist sections were introduced. (1888.)

Mounted infantry detachments were added to several corps. (1888.)

The rank of surgeon and of surgeon-major was accorded to medical officers who pass a qualifying examination. (1889.)

Facilities were afforded to Volunteer officers for passing examinations in military subjects. (1889 and 1890.)

An officer instructor of musketry was allowed to each battalion (1889); and personal and travelling expenses and quarters were allowed to officers attending the School of Musketry. (1890.)

Non-commissioned officers were permitted to be attached to the regular forces for a fortnight, to render themselves proficient. (1890.)

Submarine Miners were permitted to attend a course of 120 days at the School of Military Engineering, Chatham. (1890.)

The force was organised in brigades (1888), and the appointment of brigade majors was provided for (1889). Nineteen brigade camps were held in 1891. Garrisons were told off for fortresses and commercial ports, and the remainder assigned to duties of local defence or for mobilisation. Our second line of defence consisted in 1890 of 18 Volunteer infantry brigades and 268 guns, for all which places of concentration had been selected. Arrangements were made for providing them with tents, sheets, &c., and the organisation of transport was provided for. Brigade Bearer Companies and Supply Detachments were organised.

Arrangements were made in 1888 for the formation of 21 batteries of position of Volunteer Artillery, guns being supplied on condition of their being horsed on a certain number of occasions. There are 88 batteries of position, with 354 guns manned by Volunteer Artillerymen. "The value of this addition," wrote the late Mr. Stanhope, "to our defensive forces can hardly be exaggerated." The remainder of the Volunteer Artillery was detailed for garrison duty, and is to be exercised, in as far as possible, in the places they would have to go to in the event of war.

Volunteer officers were granted the right of presentation at

Court on the same conditions as those of the regular army, and a special decoration for long service.

Between 1886 and 1890 the number of Submarine Mining companies was increased from 5 to 31, the number of Engineer Volunteers from 9900 to 12,500, and 284 guns of position had been supplied.

It is not too much to say that the Unionist Government was the first to recognise the value of the Volunteers as part of the defensive strength of the country; to convert them from a multitude of men with rifles, into an organised force with a distinct and defined share in the national defence of the future; and to provide the necessary instruction and resources "by which," in the words of Pitt, "the Volunteer forces of this country, though in a military point of view inferior to the regular army, would, fighting on their own soil and for everything dear to individuals and important to a State, be invincible."

#### IV.—THE COLONIES AND INDIA.

The rapid increase of population at home and the great development of colonial trade have, within the last few years, largely enhanced the importance to Great Britain of her colonial possessions. The colonies afford at once a vast outlet for our surplus population, the best market for the products of our manufactures and industries, and a great field of food-supply for our people. Whilst our foreign trade has grown comparatively slowly within the last twenty years, our trade with our own colonies has increased by leaps and bounds; and in the face of the official returns in this matter, it is no longer possible to dispute that trade follows the flag, and that from community of empire flows community of commerce. A policy, therefore, which tends to foster and perpetuate the union between the mother country and the colonies deserves well of the people; and such was throughout the policy of the Unionist Government. If we are to maintain our union with our colonies, the colonies must be made secure against the perils which our imperial responsibilities may from time to time impose upon those who bear our flag.

The development of steam navigation, the increase in the naval strength and the colonial enterprise of other European nations, and the growth of colonial wealth and commerce, render it of the first importance that the shores of our colonies should be protected from any sudden descent of a hostile squadron. Hitherto the burden of naval defence has been borne exclusively by the mother country, but the Australian colonies have now come forward voluntarily and cheerfully to share that burden,

and the joint action of the Home and the Colonial authorities in this matter seems likely to lead to the most satisfactory results, not only in making our colonies secure against attack, but also in increasing the general sense of community of interest and of empire.

Under the Imperial Defence Act of 1888 (51 & 52 Vict. c. 32), ratifying a convention with the Australian colonies, provision was made for the establishment of an Australian squadron of five fast cruisers, and two torpedo boats. Upon the price of these vessels the colonies pay interest to the amount of £35,000 per annum; and they maintain the squadron, either in commission or ready for service, at a cost which is not to exceed £91,000 per annum. This squadron has now been completed and equipped, and forms a substantial addition to the naval strength of the Empire.

By the same Act, provision was made for the expenditure of the following sums in completing our defences in distant parts of our Empire throughout the world:—

For coaling stations . . . .	£360,000
Barracks at these stations . . . .	350,000
Heavy guns (about) . . . .	100,000
Colonial military ports . . . .	441,000
 Total . . . .	 <u>£1,251,000</u>

In addition to these sums no less than £1,000,000 sterling was provided out of the annual Estimates. Every important port and coaling station at home and abroad was protected with submarine mines covered by quick-firing guns, nearly all the necessary heavy guns were mounted, and the necessary garrisons were provided to the number of no less than 182,000 men, regulars, auxiliaries, and natives.

Substantial contributions were also made towards the provision of coaling stations and port and harbour defences by the colonies, and in the result, our Empire was in 1892 in a far more satisfactory position of defence throughout the world than at any period since the close of the Napoleonic wars in 1815. It is a peculiarly gratifying feature of these great measures that they were carried through without the imposition of one penny of additional taxation upon the people of this country.

*India.*—Alike as an outlet for the energies of our people, as a source of food-supply, and as a market for our commerce, India is hardly less important to the people of this country than our colonial possessions. Our Indian frontier, if adequately prepared for defence, is virtually impregnable. But in order to put it in such a position, it was necessary to provide fortifica-



tions in the mountain-passes, and railways and military roads behind them, so as to permit of the rapid movement and concentration of the defending force. This great work was carried out by the Unionist Government. Strategic railways were laid down on the North-West frontier at a cost of £10,000,000; and fortifications and military roads were provided at all vulnerable points at a cost of upwards of £5,000,000. These are large sums, no doubt, for a country whose treasury is accounted poor; but it is remarkable that whilst all this additional expenditure had to be provided, a chronic deficit in the Indian Budget was changed into a regular annual surplus.

The loss or serious curtailment of our Colonial or Indian Empire would bring poverty and ruin to millions at home, and would seriously diminish the material comfort and prosperity of the whole working classes of this country. Less tangible, perhaps, but none the less disastrous, would be the loss of the imperial pride and spirit which have carried this country in the past through so many perils and difficulties, and placed so large a share of the destinies of the world in the keeping of our people. The new Radicalism, it is true, "cares for none of these things." Only a couple of years ago, Mr. Labouchere, the leader of the new Radicals, wrote: "What, I want to know, is England the better for her colonies? Not a single brass farthing!"<sup>1</sup>

At the next general election the people of Great Britain will be called upon to decide whether they are prepared to leave the Government of this country and the destinies of our Empire in the hands of men who hold such opinions as these. Surely, true to the old traditions and imperial instincts of our nation, they will prefer the policy of a party which, when last in power, did so much to consolidate and strengthen our imperial possessions, and which is determined to maintain and defend them.

<sup>1</sup> *Truth*, 26th March 1891.



### CHAPTER III.

## THE CONSERVATIVE PARTY AND THE WORKING CLASSES.

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### PAST LEGISLATION.

IT was the characteristic of the Liberal party in power practically from 1832 to 1867, that it was essentially a middle-class party, while the old Whig party had been essentially an aristocratic combination. The Conservative party has always claimed to be in the highest degree national, and to embody in its policy and relations the spirit of the British constitution, which combines the stability and continuity of monarchy with the sense of duty and responsibility that belongs to a true aristocracy, and the broad popular sympathies and practical efforts to improve the condition of the people which are the features of an honest democracy. The commonplace of Radical orators is that the Tories are the foes of social improvement, that every amelioration of the condition of the labouring man has been the work of the Liberal party, and that Conservatism is just "distrust of the people qualified by fear." This delusion can only be dispelled by facts. Logical as is the Scottish mind, no argument is so effective among the Scottish electorate as the recital of the practical benefits which the working classes as such owe to Conservative legislation. It would be sufficient to show that Conservative achievements had been equal to Liberal performance in this field, but to confine ourselves to this proposition would be to understate our case. It is matter of easy demonstration that the real practical legislation which has affected for good the daily lives of our working population, and which has given them the means of helping themselves, is mainly the work of Conservative Governments, and of the Conservative party in Parliament. What can be of more importance to a working man than the full right to freely dispose of his own labour, and to be paid for it in a definite standard? What, apart from his daily toil, can affect him more than his home and his health, and the interests of his wife and children? What greater boon can be given to him than a respectable dwelling and encouragement to thrift? On all the following subjects, which most intimately affect the workman's life, he

owes the leading and the largest amount of legislation to the Conservative party:—

The Reform of the Labour Laws.  
 The Abolition of the Truck System.  
 The Regulation of Factories and Workshops.  
 The Housing of the Working Classes Acts.  
 The Public Health Acts.  
 The Friendly Societies Acts.

In the development of education the obligations are greater to the Conservatives than to the Liberals, and the special interests of miners, seamen, fishermen, and agricultural labourers have received fuller legislative consideration from the maligned Tories than from the Radicals.

#### *a.* **THE LABOUR LAWS.**

Under the old penal laws directed against combination it was illegal for workmen to combine to secure a reduction in the hours of labour or an increase of wages, and such combination was treated as a criminal offence and called in English law conspiracy. It was the Tory Government of Lord Liverpool that appointed a Royal Commission in 1820 to inquire into the working of these laws, and repealed them in 1824, forty-three years before the artisans of the towns were admitted to the franchise by the Conservative Government of 1867. In 1859 Lord Derby's Conservative Government passed an Act further confirming the freedom of labour and liberty of combination.

It was, however, left to the Conservatives after forty years, during most of which the Liberals were in power, to put the working classes on a footing of absolute equality with their employers in the eye of the law. Prior to 1867 a workman might be summarily imprisoned for breaking a contract of employment with his master. The master, on the other hand, could not be imprisoned for breaking faith with his workman, but was subject only to a pecuniary penalty. This bore hardly upon the working classes, and was felt by them as a great grievance. The operation of the law as it stood was undoubtedly exceedingly harsh and unfair, for the following reasons:—

1. It made a man who had merely committed a breach of contract a criminal, and it was unjust to treat working men differently from all others in this matter.

2. A workman might have grounds for breaking his contract which, though morally ample, were legally insufficient, or which, though known to himself, he could not prove. In either case it was hard that he should be treated as a criminal.

3. By making what was really a civil wrong a criminal offence the law deprived the workman of the right of giving evidence on his own behalf, although in most cases he was the only witness able to explain and justify his conduct.

4. The procedure in prosecutions was peculiarly harsh. The workman might be arrested without any charge being served upon him, brought summarily before *one* magistrate and tried in private, and if he were convicted the magistrate was obliged to send him to jail, there being no option of a fine.

It is the case, though scarcely credible, that no attempt was made by the Liberal party to deal with this state of the law during the forty years for which they were almost constantly in office. The Conservative Government of 1867 took the first step towards reform, and greatly improved the position of the workmen. By the *Master and Servant Act*, 1867,<sup>1</sup> the following important changes were made:—

1. The workman could no longer be summarily arrested, but must have a summons or charge served upon him.

2. The trial must be in public, and before two justices, or the sheriff.

3. The workman might give evidence on his own behalf.

4. The court must impose a fine in the first instance instead of sending the offender to jail, and imprisonment could follow only on failure to recover the fine.

These provisions effected a great improvement, but the main grievance remained, that breach of a labour contract was treated as a criminal offence. Nothing was done by Mr. Gladstone's Government when in power from 1869 to 1874. One of the first acts of Mr. Disraeli's Administration in the latter year was to appoint a Royal Commission to inquire into the state of the law as between master and servant. As soon as that Commission had reported the Conservative Government introduced and passed into law.

*The Employers and Workmen Act*, 1875,<sup>2</sup> which finally placed employers and employed on an equal footing before the law, and entirely took away the criminal character of any breach of contract by a workman. Power was still left to the courts of law to deal in a summary way with disputes between masters and workmen, but it was expressly declared that such a case "shall not be deemed to be a criminal proceeding," and that for the purposes of the Act the court "shall be deemed to be a court of civil jurisdiction." It was provided that in Scotland the court to deal with such disputes should be "the small debt court of the sheriff of the county," and the workman was amply protected against arbitrary imprisonment by the provision that, "Any decree or order pronounced or made by a sheriff under

<sup>1</sup> 30 & 31 Vict. c. 141.

<sup>2</sup> 38 & 39 Vict. c. 90.

this Act shall be enforced in the same manner and under the same conditions in and under which a decree or order pronounced or made by him in his ordinary or small debt court is enforced." In other words, the workman was to be on exactly the same footing, and to have all the privileges of an ordinary civil debtor. Mr.—now Lord—Cross, who carried this measure through the Commons, thus explained its scope:—

"For the future, contracts of hiring and service shall be as free and independent, both for master and servant, as any other contracts between other persons."

The late Mr. Macdonald, M.P. for Stafford (Gladstonian and Labour), said with regard to the measure:—

"Working men might congratulate themselves that this measure had been introduced by a Conservative statesman."

*The Law of Conspiracy* was another law which operated very harshly towards the industrial classes. When one man resolves not to take work on certain conditions, nobody dreams of treating such a resolution as criminal; but, as the law stood prior to 1875, conduct which was entirely innocent if done by one person, might amount to the crime of conspiracy if a number of people agreed together to follow out the same line of action. This evil was remedied by

*The Conspiracy Act, 1875.*<sup>1</sup>—This Act provides that "An agreement or combination by one or more persons to do, or procure to be done, any act in contemplation or furtherance of a trade dispute between employers and workmen, shall not be indictable as a conspiracy if such act committed by one person would not be punishable as a crime."

Of this Act the late Mr. George Odger said:—

"This measure was the greatest boon ever granted to the sons of toil, and not to give the Conservative Government a vote of thanks for it would be an act of the basest ingratitude."

It should also be remembered that under the Conservative Government of 1867,<sup>2</sup> an Act was passed to facilitate the establishment of equitable councils of conciliation to adjust differences between masters and men.

*The Charter of the Artisan's Freedom.*—Mr. George Howell, M.P. (Radical and Labour), in his "Handy Book of the Labour Laws," thus describes these Acts of 1875:—

"I regard these Acts as a great boon to the industrial classes—as, in fact, the charter of their social and industrial freedom,

<sup>1</sup> 38 & 39 Vict. c. 86.

<sup>2</sup> 30 & 31 Vict. c. 105.

the full value of which is not yet understood or appreciated. If administered in the same frank and just spirit in which they were conceived and passed by the Legislature, they will be found to fully cover the demands made by thoughtful and intelligent working men through long years of agitation."

In another passage Mr. Howell sums up the general effect of these Acts as follows:—

"The abolition of the special penal laws affecting workmen, breaches of contract of service made civil offences instead of criminal, and the abolition of conspiracy as applied to labour disputes."

Referring to these and other measures the late Mr. Macdonald, Liberal and Labour M.P., returned by the miners of the North of England, said at Stafford on January 14, 1879:—

"The Conservative party have done more for the working classes in five years than the Liberals have in fifty."

"You have gained more from the Conservatives in respect to matters affecting the working men than the Liberals would ever dare have granted."

It was thus the Conservative party which gave to the working classes complete freedom to work out their own interests, and for the first time admitted them to the full right of British citizens, that of equality before the law. This legislation opened the way for all that our working classes have since gained for themselves by constitutional combination, and its importance can scarcely be overrated.

#### **b. PAYMENT IN CASH.**

*The Abolition of the Truck System.*—Perhaps only second in importance to the reform of the Labour Laws, in view of the large number of workmen affected, are the measures which entitled working men to receive the wages of their labour in good current coin of the realm. The Truck Acts, as they are called, mark an important stage in the social advance and material progress of the working classes, and they were passed by Conservative votes, not *after* but *before* the Reform Bill of 1832.

What was the Truck system? It was a system by which employers paid their workmen not in money but in goods, keeping in some cases stores where these goods were issued at exorbitant prices, and insisting very often on labour being paid by articles which the working man and his family did not want. In "Sybil" Lord Beaconsfield drew a startling picture of the evils of this system, the facts of which he had carefully studied.

"The question is," says one of the characters in that story, "what is wages? I say 'tayn't sugar, 'tayn't tea, 'tayn't bacon. I don't think 'tis candles; but of this I be sure, 'tayn't waistcoats. . . . You know as how Juggins applied for his balance, and Diggs has made him take two waistcoats. Now the question rises, what is a collier to do with waistcoats? Pawn 'em, I s'pose, to Diggs' son-in-law, next door to his father's shop, and sell the ticket for sixpence."

*Effort of 1830.*—An effort was made in the year 1830 to remedy these evils, but owing largely to the obstruction of the Radicals of the day, the Bill had not been passed through all its stages when Parliament was dissolved. A second effort, made in the earlier part of 1831, was equally unfortunate, the Bill having just been passed through Committee when Parliament was prorogued. Who were the friends and who were the opponents of this reform, so vital to the independence and the comfort of the working classes? Sir Robert Peel, then Home Secretary in the Duke of Wellington's Tory Ministry, Mr. Herries, and Mr. Huskisson, who had been Secretary for the Colonies under the Tory Duke of Wellington in 1828, all lent the weight of their advocacy to the change. Sir Robert Peel declared that he did so "being convinced that no system was so calculated to destroy the independence of workmen as the Truck system." Mr. Huskisson, speaking a few weeks before his tragic death, said, "The principle of the Bill was good. He thought that the House was bound to protect those who had hitherto not been free agents, and who, as the weakest part of the community, had the greatest need of the protection of the law." The opposition was led by Joseph Hume, the leading Radical of the day, who sneered at clergymen for sympathising with the workmen, and scouted the idea that legislation was necessary, prophesying that "he was sure that the trade of the country would not flourish under such a system as the Bill would create." Mr. Robinson, Liberal member for Worcester, who seconded Mr. Hume's hostile amendment, asserted that "to put an end to the Truck system would, in many cases, put an end to the employment of the workmen altogether." Mr. Daniel O'Connell declared that "the Bill would be destructive to Ireland." Various attempts were made to delay the Bill, and a number of other Liberal members spoke against it, while Mr. Herries, the Master of the Mint, gave it the warm support of the Conservative Government. He said:—

"The measure was in strict consistency with the soundest and best principle of legislation—that principle of civil government which said that the law should be so framed as to take care of that class of the community which was least able to

protect itself. . . . Articles subject to great variations, and therefore wholly unfit to be used in discharge of a debt, at the option and according to the valuation of a debtor, were given in payment of a debt, with great injustice and detriment to the defenceless workman."

*First Attempt of 1831.*—On the reintroduction of the Bill in the early part of 1831, the attempt of Mr. Hume to shelve it was defeated by 167 votes to 27. In Committee the Radicals strenuously resisted it. Mr. Western, the Liberal member for Essex, described its principle as "most pernicious," and asserted his belief "that the House had never interfered between the master and the man except to the detriment of the latter." Another Liberal member declared that "of all the absurd pieces of legislation that had ever been introduced into the British Legislature, this was, in his opinion, the most absurd." Others used similar language, and the only Liberal leader who said a word in favour of the legislation proposed was Lord Althorp. Mr. Whitmore, the Conservative member for Bridgenorth, declared—

"That as he considered the Truck system to be a system of absolute compulsion upon labourers, he believed it would be a wholesome and beneficial law which required that all such contracts should be carried into effect by means of money. The man who was employed by the Truck master fell in debt with the shop, and then being in the master's debt he was wholly in the master's power."

*The Successful Legislation of 1831.*—The Bills which ultimately became law were introduced by Lord Wharncliffe in the House of Lords. In moving the second reading on 7th July, he pointed out the enormous profits made by manufacturers through the system.

"Some," he said, "made not less than £15,000 a year by it," and were enabled to "sell their goods for less than what their cost without the system of Truck would have been. He liked to see the workman fairly independent of his master, receiving his wages in money, and buying at any shop he pleased to select that which he really wanted, in place of having thrust upon him more bacon and flour than he had occasion for, and which he must necessarily dispose of at a very great disadvantage. The articles which were given to him in lieu of wages were so various and ill-assorted, and frequently so perfectly useless to him, that they reminded him of the cargoes which were sent out some years ago to Buenos Ayres, when the rage for speculation existed, and individuals sent skates and warming-pans to that torrid region."



He also pointed out how the system handicapped and ruined the small retail shopkeepers. The Bills were read a second time, and passed through Committee in the House of Lords without a division. It was very different in the House of Commons, where again the Opposition was headed by Mr. Hume and O'Connell, the so-called Irish Liberator. Mr. Hume described the proposals as "a monstrous innovation," and declared that such laws "were not adapted to an enlightened period like the present." He carried his opposition so far as to divide against the third reading, when he found himself with only four followers.

Of the Bills which thus received the Royal Assent on 15th October 1831, the first<sup>1</sup> repealed all the existing enactments on the subject of Truck. The second<sup>2</sup> provided that "the entire amount of the wages earned by or payable to any artificer in any of the trades hereinafter enumerated, in respect of any labour by him done in any such trade, shall be actually paid to such artificer in the current coin of this realm, and not otherwise; and any payment made to any such artificer by his employer of or in respect of any such wages by the delivering to him of goods shall be and is hereby declared illegal, null, and void." In any action for wages due, no set-off was to be allowed for goods supplied as wages, and the employer was prohibited from suing in respect of such goods. The following penalties were imposed upon employers making payments otherwise than in current coin of the realm: For the first offence, not exceeding £10 nor less than £5; for the second, not exceeding £20 nor less than £10; for the third, not exceeding £100, the employer also in this case to be deemed guilty of a misdemeanour. Any subsequent offence was to be punished in the same manner as the third.

The trades to which these Acts applied were very numerous, including the manufacture of iron and steel; the working of mines of coal, ironstone, limestone, and salt-rock; the getting of stone, slate, or clay; the making or preparing of salt, bricks, tiles, and quarries; the making of any iron or steel hardwares; of any plated articles of cutlery; of any metal wares or japanned goods; the making or preparing of any kinds of woollen, worsted, yarn, stuff, jersey, linen, fustian, cloth, serge, cotton, leather, fur, hemp, flax, mohair, or silk manufacture; of glass, porcelain, china, or earthenware; and of bone, thread, silk, or cotton lace, or lace made of mixed materials.

*Benefits afterwards acknowledged.*—Although Mr. John Bright consistently opposed the policy of the Truck Acts, the benefits they have produced have been acknowledged by other Liberal statesmen. In 1854, Mr. Forster (afterwards Sir Charles), in

<sup>1</sup> 1 & 2 Will. IV. c. 36.

<sup>2</sup> 1 & 2 Will. IV. c. 37.



introducing a Bill to render the provisions of the Truck Act more stringent, said :—

“No man could be more sensible than himself of *the great benefits which that Act had conferred* on the district in which he lived.”

In 1870, when moving for a Commission of Inquiry into alleged offences against these Acts, Mr. Mundella said :—

“When we remember that it was only in 1831 that the Truck Acts were first passed, and *see all the good which they have done*, I am quite sure I will not call in vain on the House to extend and perfect *their beneficent action*.’ Looking at the evidence which was given before the first Committee, it is difficult to realise that we are living in the same country, so great is the change that has taken place, the Truck system being entirely unknown now in Lancashire, where at one time it overshadowed the prosperity of the working classes.”

*The Hosiery Manufacture Act of 1874.*—In 1874, under Lord Beaconsfield’s Government, complaints having prevailed as to the system in the hosiery manufacture of the letting out of frames and machinery to the employees by the employers, of charging rent for them, and making stoppages from wages in respect of such frame rents, an Act<sup>1</sup> was passed which enacted that “The full and entire amount of all wages should be paid in coin, without any deduction or stoppage of any description whatever, save and except for bad and disputed workmanship.” All contracts to stop wages, and all contracts for frame rents and standing or other charges between employer and artificers, were declared illegal, null, and void. An employer bargaining for such deductions, or refusing or neglecting to pay in coin the full wages due, was rendered liable to a penalty of £5 for every offence, which could be recovered by the artificer or any other person in the county court.

*The Truck Amendment Act of 1887.*—In 1887, under the Conservative and Unionist Government of Lord Salisbury, the Acts on the subject were fully revised and extended. By the Truck Amendment Act of that year<sup>2</sup> they were made applicable to any workman, as defined in the Employers and Workmen Act of 1875, *i.e.*, “Any person who, being a labourer, servant in husbandry, journeyman artificer, handicraftsman, miner, or otherwise engaged in manual labour, whether under the age of twenty-one years or above that age, has entered into or works under a contract with an employer.” An exception to the general provision is made in the case of agricultural

<sup>1</sup> 37 & 38 Vict. c. 48.

<sup>2</sup> 50 & 51 Vict. c. 46.

labourers, to whom it is often convenient to receive a cow's keep, milk, potatoes, peats, &c. The Act declines to render illegal "a contract with a servant in husbandry for giving him food, drink not being intoxicating, a cottage or other allowances or privileges, in addition to money wages as a remuneration for his services."

Wherever by agreement or custom it is the practice to pay part of the wages in advance, it is made unlawful to withhold this or make a deduction on account of poundage, discount, or interest, or any similar charge. Goods supplied to a workman by any person under any order or direction of the employer, or any agent of the employer, cannot be sued for or set off against a claim for wages. All conditions as to spending wages at a particular shop, or in a particular way, or with a particular person, are forbidden, and dismissal is prohibited where any such conditions have been broken by the workman.

If a deduction is made for education, any workman sending his child to a State-inspected school is entitled to receive it to the same extent as his fellow-workmen. No deduction can be made for sharpening or repairing tools except by agreement not forming part of the condition of hiring. And where deductions are made for education, medical attendance, or tools, the employer must make out a correct account of such deductions at least once a year, to be audited by two auditors appointed by the workmen.

The provisions of the Truck Acts are extended to the case of articles made by a person at his own home or otherwise, without the employment of any person under him except a member of his own family; and the shopkeeper, trader, dealer, or other person buying the articles in the way of trade, must treat the price as if it were wages earned during the seven days immediately before the article was delivered. This provision applies only to articles under the value of £5, knitted or otherwise, manufactured of wool, worsted, yarn, stuff, jersey, linen, fustian, cloth, serge, cotton, leather, fur, hemp, flax, mohair, or silk, or of any combination thereof, or made or prepared of bone, thread, silk, or cotton lace, or of lace made of any mixed material. Its operation may be suspended by Order in Council, where this appears to "be in the interests of persons making the articles" in any county or place. The penalties of the principal Act are made applicable to the new provisions, and recoverable from the actual offender; and it is made the duty of the inspectors of factories and mines to enforce the observance of the Truck Acts, which are declared to extend to Ireland. No person engaged in the same trade or occupation as an employer with any person charged can act as a justice of peace in hearing a charge under the Acts.

These Acts form a full code, passed by Conservative Parliaments, dealing with an important phase of a workman's life. The Conservatives have shown their readiness to amend and extend them when the real needs of any section of the community required it. Whether any further amendment or extension is desirable is, in the first case, a question for the class of workmen immediately interested in town or country to make up their own minds upon and settle for themselves. Conservative statesmen will listen with sympathy, and give full consideration, to any grievance that may be felt to exist; and the experience of the past shows that, when a real grievance of the kind is proved, they will not be slow to find the remedy.

### c. THE FACTORY AND WORKSHOPS ACTS.

The great battle fought by the Conservatives in the interests of the working classes raged over the regulation of the conditions of labour in factories and workshops. They came into conflict both with the rigid theories of pedantic economists, and with the selfish interests of the large manufacturers who then formed the aggressive Radical party in the House of Commons. The decisive struggle occurred long before those in whose interests it was carried on had votes; but if there is no conflict in which it has been engaged that has redounded more to the credit of the Conservative party, there is none for which they have been in due time better repaid. The original Factory Acts were only carried after a long and severe struggle against bitter opposition from the Radicals of the day, by the strenuous exertions of Conservative statesmen. Their benefits are now acknowledged by all, but it is still the case that the attention of Conservative Governments is specially given to extend and improve their provisions.

*Early Conservative Legislation.*—At the beginning of the century the condition of children employed in factories was truly terrible. "In many of the factories one reads of horrors barely credible—of children all but starved—at one factory, indeed, disputing garbage at the pig-troughs with the pigs; of work done under the lash, and sometimes for sixteen hours a day; of children asleep standing at the spinning-mules, and moving their little fingers mechanically, only to awake to the curses of the overlookers and the never-ending roar of the machinery."

The Tory Government carried an Act in 1802 reducing the work of children and females in mills and factories to twelve hours a day, making night-work illegal, requiring a certain amount of education for "apprentices," and giving power to

magistrates to appoint visitors, which, however, applied only to children apprenticed by poor law guardians. In 1819, the Tory Government of Lord Liverpool passed a second Act, by which no children under nine were allowed to work in the cotton-mills, those under sixteen were limited to twelve hours a day, exclusive of meal-times, and night-work again was forbidden. While the Tory party still remained supreme in Parliament, Bills introduced by Sir John Hobhouse, a Liberal, further carrying out the same policy, were passed into law.

*The Long Struggle.*—In 1832–33, numerous signed petitions, “for the abolition of Infant Slavery in Factories,” were presented to Parliament, and the cause of the working classes was championed by Lord Shaftesbury, then sitting on the Conservative side in the House of Commons as Lord Ashley. He introduced a Ten Hours Bill in 1832, which led to the appointment of a Royal Commission that revealed a terrible state of cruelty, misery, and disease. The following year Lord Ashley again pressed his Bill, and ultimately the Government of the day were obliged to take it up. The Radical members were bitterly hostile. Mr. Fryer (Wolverhampton) “was satisfied that the Factories Bill would prove nothing but a delusion.”<sup>1</sup> Mr. Phillips (Manchester) prophesied that at the end of a year “the trade would be wholly gone from this country and would be in the hands of foreigners.”<sup>2</sup> Mr. Potter (Wigan) declared that “a blow would be inflicted on the cotton trade from which it would never recover.”<sup>3</sup> The Act became law on 29th August 1833,<sup>4</sup> and by it the labour of children under thirteen was limited to eight hours a day; and that of children under nine was prohibited. It enacted that persons under eighteen should never be obliged to work more than twelve hours on one day or sixty-nine hours in the week. It established Government inspection; prohibited night-work for persons under eighteen, exacted one and a half hour’s rest for meals, required a surgeon’s certificate of fitness for work in the case of children, and made provisions for their education.

In 1843, the Conservatives were again in office, and Sir Robert Peel’s Government promoted a Bill for further limiting the hours of labour, and establishing a national system of Religious Education. Although it provided for preponderating control by the ratepayers, and contained careful provisions for their interests, it met with such fierce opposition from the Dissenters that it had to be abandoned. “The real suffering party,” said Lord Ashley, “were the vast body of neglected infants.”

The following year,<sup>5</sup> however, the Government carried a

<sup>1</sup> Hansard, New Series, vol. xvi. p. 879.

<sup>2</sup> Ibid., p. 1002.

<sup>3</sup> 3 & 4 Will. IV. c. 103.

<sup>4</sup> Ibid., p. 1001.

<sup>5</sup> 1844; 7 & 8 Vict. c. 15.

modified measure by which the work of women and young persons between twelve and eighteen was limited to twelve hours a day or sixty-nine a week, and the minimum age of child-labour reduced to eight years. It was enacted that no child under thirteen should be employed more than ten hours, and the half-time system was established. The most active enemies of the measure were Mr. John Bright, who had been elected shortly before for Durham, and who described it as "miserable legislation, on principles false and mischievous," and the Liberal ex-Chancellor, Lord Brougham, who asked sarcastically why it was not also proposed to limit the labour of "washer-women and wet-nurses?" Contrast with this the language of the Conservative, Mr. Ferrand, who, as he truly said, spoke "the sentiments of hundreds and of thousands of his fellow-countrymen belonging to the working classes."

"It is a question for which the working classes have contended for twelve years, and which they are determined to struggle for by every constitutional means. There is a unanimous feeling among the working classes that they have been reduced to the most abject state of misery and slavery, and that there are no means of rescuing them but the Ten Hours Bill."

Mr. Gladstone's name does not appear in the debates, but only in the division lists. He voted against Lord Ashley's Ten Hours Clause, while Mr. Disraeli and other leading Conservatives supported it.

In 1846, Mr. Fielden brought in a Ten Hours Bill, which was strenuously opposed by Mr. Cobden and Mr. Bright, and lost by a small majority. It was again introduced in the following year,<sup>1</sup> when Mr. Hume and Mr. Bright exercised all their eloquence and ingenuity to defeat it. Mr. Bright described it as "one of the worst measures ever passed"<sup>2</sup>—"injurious and destructive to the best interests of the country." He threatened the House with "so formidable a combination of the owners of capital, that the House could not successfully legislate against it;"<sup>3</sup> and when it was pointed out that he had signed a petition in favour of a Ten Hours Bill, he said it was one of "the follies of his boyhood." He declared he "felt bound at every stage to vote against the clauses of the Bill."<sup>4</sup> Every device was used to defeat the Bill, which was supported by majorities of two to one, and so obstructive and violent were its opponents, that even a Liberal member, Mr. Crawford, described their action as "the most unfair and vexatious opposition ever offered." The Bill<sup>5</sup> was, however, strenuously

<sup>1</sup> 1847.

<sup>4</sup> Ibid., p. 142.

<sup>2</sup> Hansard, vol. xci. p. 1144.

<sup>3</sup> Ibid., p. 726.

<sup>5</sup> The Ten Hours Act, 1847; 10 & 11 Vict. c. 29.

supported by Mr. Disraeli, Lord John Manners, Mr. Henley, and other leading Conservatives, and its passing into law, on 8th June 1847, signalled the decisive victory in the contest for the emancipation from "white slavery."

Mr. Gladstone's name is not found in any of the debates or divisions. The hours of work for women and young persons were reduced to a maximum of fifty-eight per week, being ten a day for five days, and eight on Saturday.

The campaign was not, however, concluded, and during succeeding years the Conservatives had to meet the same opposition, both when attempts to evade the Act<sup>1</sup> were dealt with, and when efforts were made to promote or assist the extension of the Factories Act to other trades. Ultimately, however, opposition died away, and the benefits of the legislation were generally acknowledged. Bleaching and dye works were dealt with in 1860,<sup>2</sup> lace factories in 1861.<sup>3</sup> Bake-houses and calendering works in 1863,<sup>4</sup> and the earthenware, matches, and cartridge-making trades in 1864.<sup>5</sup> But the action of the Liberal Governments, which were in office for seventeen out of twenty years, from 1846 to 1866, was remarkably barren in this kind of social legislation.

*Testimonies to the benefits conferred.*—In 1867, Mr. Akroyd,<sup>6</sup> a Liberal member, said:—

"Having at first opposed the Act, he wished now joyfully to offer his testimony to its beneficial results. In his own neighbourhood a squalid population had been succeeded by a healthy one. The operation of the Act had changed the aspect of many a once wretched district, and brought upon the scene scores of happy, chubby-faced children, full of health and activity, who, but for the interference of the Legislature, would have been wearing away their lives in premature toil."

Sir F. Crossley, carpet manufacturer, and a Radical, said that<sup>7</sup> the children were not only much healthier, but were more attentive at school, and more industrious in the factory. "The principle of those Acts had been applied to many other trades, and he was not aware of a single failure. Beneficial results had invariably followed. In the manufacturing districts the children were now receiving as much for short time as they (formerly) did for full time." Professor Fawcett,<sup>8</sup> Radical, declared, "There was no subject upon which he had ever addressed a meeting of working men that excited more enthusiasm."

*Later Conservative Legislation.*—In 1866, Factory Legislation

<sup>1</sup> Acts of 1850 and 1853; 13 & 14 Vict. c. 54; 16 & 17 Vict. c. 104.

<sup>2</sup> 23 & 24 Vict. c. 78.

<sup>3</sup> 24 & 25 Vict. c. 117.

<sup>4</sup> 26 & 27 Vict. cc. 38, 40.

<sup>5</sup> 27 & 28 Vict. c. 48.

<sup>6</sup> Hansard, vol. xcii. p. 314.

<sup>7</sup> Ibid., Third Series, vol. clxxxv. p. 1078.

<sup>8</sup> Ibid., p. 1071.



took a fresh start on the accession to power of Lord Derby and Mr. Disraeli. In 1866, the Conservative Government dealt with uncleanness, improper ventilation, and overcrowding in factories.<sup>1</sup> In 1867, they extended the Acts to blast-furnaces, copper-mills, iron foundries, machinery works, the paper, glass, tobacco, printing, and bookbinding trades, and to all other works employing over fifty operatives. By this Act<sup>2</sup> 1,500,000 women and children were admitted to the benefits of the Acts. Well might Lord Shaftesbury<sup>3</sup> express the "deep sense of gratitude he entertained towards Her Majesty's Government for having introduced this Bill," and say that—

"They would carry peace and comfort to the hearts of thousands. By showing this interest in the welfare of the people, and by endeavouring in this way to advance their moral, social, and physical improvement, they would be doing more for their happiness than even by the great measure of Reform which they were now passing to enfranchise the great mass of the people, and they would make that reform more easy and more successful in its operation. This was a great work, a work that would bless the whole nation."

In the same year the Government also passed an Act regulating the hours of female labour in every workshop.<sup>4</sup> The employment of children under eight was prohibited, that of those over eight limited to six and a half hours daily, that of young persons under thirteen to twelve hours, with one and a half for meals. Work on Sunday or Saturday afternoon was forbidden, and every working child obliged to attend school for at least ten hours a week.

During Mr. Gladstone's Government from 1868 to 1874<sup>5</sup> only two very small measures were passed. In 1874, the Conservatives returned to power, and one of their first efforts<sup>6</sup> was a measure which reduced the working hours of women and young persons to fifty-six per week, and prevented their continuous employment for more than four and a half hours. The minimum age for children was raised from eight to ten, and an educational certificate was required. Mr. Mundella, Liberal, supported it as "a noble measure," said that "it was to the immortal honour of the Conservatives that they had passed the Factory Acts," and acknowledged that "the Conservative party had always been the friend of the toilers." Mr. Baxter, Liberal member for the Montrose Burghs, described it as "wise, safe,

<sup>1</sup> Public Health Act, 1866; 29 & 30 Vict. c. 90.

<sup>2</sup> Factories Act Extension Act, 1867; 30 & 31 Vict. c. 103.

<sup>3</sup> Hansard, vol. clxxxix. p. 1211.

<sup>4</sup> Workshops Regulation Act, 1867; 30 & 31 Vict. c. 146.

<sup>5</sup> 33 & 34 Vict. c. 62, and 34 & 35 Vict. c. 104.

<sup>6</sup> Factories (Health of Women, &c.) Act, 1874: 37 & 38 Vict. c. 44.



and well considered," and as "conferring incalculable benefits on the operative class in the country."

In 1878, Mr. (now Lord) Cross, undertook the large and important work of consolidating all the various Acts in one statute,<sup>1</sup> which at the same time restricted overwork and night-time, laid down clear definitions, and gave special powers in exceptional cases to the Home Secretary. Mr. Macdonald, Liberal M.P. for Stafford, declared that it "would redound to his (Mr. Cross's) honour and credit as a statesman." Lord Shaftesbury said: "Two millions of people of this country would bless the day when Mr. Cross" became Home Secretary.

From 1880 to 1885,<sup>2</sup> with Mr. Gladstone's Government then in office, only one small measure was added to the statute-book on this subject.

In 1886, the Conservatives returned to office, and Lord Salisbury's Government made a still further advance. In 1886, a small measure<sup>3</sup> was passed providing for fixed holidays in Scotland in lieu of the old Fast-days. In 1889, Lord Cranborne carried a measure<sup>4</sup> to protect workers in cotton cloth factories from injury by the excessive use of steam and the inhalation of dust. The House of Lords' Committee on the Sweating system (initiated by the Conservative, Lord Dunraven) revealed evils still existing, and the International Labour Conference at Berlin, in which our Government took an important part, quickened public interest. The result was another important measure, the Factory and Workshop Act of 1891,<sup>5</sup> which made new and stringent regulations applicable to *all* workshops, which can be enforced by the local authority or the Home Office in case of default; provided "Special Rules" directed against dangerous machinery, faulty premises or ventilation, and insufficient means of escape from fire; made more certain and enforceable the limits of hours for women, prohibited their employment for four weeks after child-birth, and required lists of outworkers to be kept; prohibited the future employment of children under eleven after 1892; increased the penalties where offences are sources of profit; required duplicate means of escape from fire in all new factories; enlarged the powers of inspection; and provided in Scotland for an open inquiry by the sheriff into cases of death by accident in any factory or workshop, on the petition of any person interested.

Though not strictly a Factory and Workshop Act, the Shop Hours Act of 1892<sup>6</sup> is a development of the same policy. It prohibits the employment of a young person (*i.e.* under 18)

<sup>1</sup> Factories Act Consolidation Act, 1878; 41 & 42 Vict. c. 76.

<sup>2</sup> 46 & 47 Vict. c. 53.

<sup>4</sup> 52 & 53 Vict. c. 62.

<sup>6</sup> 55 & 56 Vict. c. 62.

<sup>3</sup> 49 & 50 Vict. c. 22.

<sup>5</sup> 54 & 55 Vict. c. 75.

in or about a shop for more than seventy-four hours, including meal times, in a week, or the employment of any young person in a shop who has been previously employed on the same day in any factory or workshop for the number of hours permitted by the Factory Act of 1878, or for a longer time than with the time worked elsewhere would make up the permitted number of hours. It provides for fining offenders, and gives County and Town Councils power to appoint inspectors.

The Acts we have noticed do not exhaust the measures which have been passed in the interests of those working in factories and workshops. They would indeed form a long list. The benefits reaped from them by the working classes of the country are undoubtedly due to the resolute stand made on their behalf by Conservative statesmen long before the Franchise was extended to working-men voters, and very largely to the care which Conservative Administrations have devoted to simplifying and extending them. We may well re-echo the words of the Minister who introduced the Bill of 1867:—

“I believe that future generations will look back with pleasure upon this reign—this beneficent reign—in which many good things have been done, but none more gracious or just than throwing the protection of wise and considerate legislation over the women and children of the country.”

Speaking at a meeting of the London Reform Union on December 15, 1892, Mr. Asquith, the Gladstonian Home Secretary, is reported to have said:—

“I do not think there is any part of our legislation for the last fifty years upon which we can look back with more solid satisfaction than the series of laws and of executive institutions by means of which employers of labour in this country have been compelled to conform to that which was already the practice of the wisest and most public-spirited among them in relation to the sanitation of places of business, and the hours of labour of those whom they employ.”

Of 35 Factory (or *cognate*) Acts passed from 1802 to 1892, no less than 22, and these the most important, have been due to the initiation of Conservative statesmen.

#### **d. THE HOMES OF THE PEOPLE.**

*The Housing of the Working Classes Acts.*—A most important branch of the Conservative policy of improving the social condition of the people is that concerned with the provision of improved and satisfactory dwelling-houses. We shall now consider how much has been done by Conservatives and Liberals respectively in legislating on this subject.

*The Lodging-Houses Acts* of 1851 mark the first attempt of the

Legislature to grapple with the question of unhealthy dwellings. It was the Conservative, Lord Ashley (better known afterwards as Lord Shaftesbury), at whose instance these Acts were passed; and it is interesting to note that, while he made one of his last speeches in the House of Commons in asking leave to bring in the Lodging-Houses Bill, his first public appearance in the House of Lords was when, in the same year, he moved the second reading of the Common Lodging-Houses Bill. In his speech in the House of Commons he quoted several almost incredible instances of filth and wretchedness in the dwellings of the very poor. In one room, measuring 18 feet by 10 feet, there slept in one night "27 male and female adults, 31 children, and two or three dogs. . . . In one district alone there were 270 such rooms. . . . The houses are never cleaned or ventilated; they literally swarm with vermin. It is almost impossible to breathe. Missionaries are seized with vomiting or fainting upon entering them." It was sought to remedy the state of matters thus illustrated by putting lodging-houses under supervision, and by empowering local authorities to own and manage such institutions.

*The Common Lodging-Houses Act* provides that all such lodging-houses shall be registered, and that no lodgers may be kept until the houses have been inspected and approved by the officer of the local authority. The local authority has power to make regulations for common lodging-houses, and to exact penalties for breach of regulations. Regular cleansing and whitewashing are enforced, and it is rendered compulsory for the keeper of a lodging-house to give immediate notice of any case of fever or infectious disease in the house to the local authority, to the Poor Law medical officer, and to the relieving officer.

*The Lodging-Houses Act* empowers borough councils and local boards to erect lodging-houses or to purchase existing lodging-houses, and to manage them, making by-laws to regulate the charges, management, &c. Such lodging-houses are under the inspection of the local boards of health.

These Acts did not apply to Scotland, but this defect was rectified by the Housing of the Working Classes Act, passed in 1885 by the Conservative Government. Thus far, then, this legislation is really due to the Conservative party. The next Act on this subject, after 1851, was passed by the Liberal Government of 1866. It, however, introduced no new regulation, but simply provided for advancing Government loans to corporations which wished to put the Lodging-Houses Act of 1851 into operation.

*The Artisans and Labourers' Dwellings Act of 1868*<sup>1</sup> is next in order. It was introduced by a Liberal member (Mr.

<sup>1</sup> 31 & 32 Vict. c. 130.

M'Cullagh Torrens), but it was carried by the support and sympathy of the Conservative Government, and indeed it is due to the labours of a Select Committee of the House of Lords, sitting under Lord Chelmsford's presidency, that the Bill was passed in a workable shape. Accordingly, Conservatives may claim a large share of the credit due on account of this Act. Its object is to provide for "taking down or improving dwellings occupied by working men and their families which are unfit for human habitation, and for the building and maintenance of better dwellings for such persons instead thereof." It applies only to towns or boroughs. In every town or borough an officer of health is to be appointed, who must report to the local authority any premises within his jurisdiction which are dangerous to health, so as to be unfit for human habitation. Power is also given to any four householders to require the officer of health to make an inspection of any specified houses within his jurisdiction. On receiving the report of the officer of health, the local authority may have a plan and specification prepared showing the work required to be done. If the owner does not signify his willingness to execute the necessary works within three months, the local authority may either shut up the house or proceed to execute the work at his own hand. In the latter case, the local authority may obtain an order from the Quarter Sessions (in Scotland, from the Sheriff), making the expenses incurred, with 4 per cent. interest, a first charge on the property. On the other hand, expenses incurred under the Act by an owner may also be made a first charge on the property in his own interest. The Act further provides for Treasury loans for the purposes of the Act, and enacts penalties against all who obstruct the officer of health, or prevent the execution of the Act.

While the Liberal Government of 1868-1874 was in power, nothing further was done in this matter. But in 1875

Two important *Artisans' Dwellings Acts*<sup>1</sup> were passed by the Conservative Government. The reasons for legislation were:—

(1) In many cases the construction and the crowded condition of houses in towns were injurious to moral and physical welfare; (2) want of light, air, ventilation, or proper conveniences caused fever and diseases to be generated, and produced death and loss of health in the community at large; (3) owing to the divided ownership of many such houses, no one owner could make the alterations necessary for the public health. Accordingly it was necessary for the public health to make provision for pulling down and reconstructing unhealthy dwellings, and to provide for the accommodation of the classes so displaced. The 1868 Act had empowered local authorities to deal only

<sup>1</sup> 37 & 38 Vict. c. 36, and c. 49 (Scottish Act).

with individual cases of insanitary houses. The object of the Acts of 1875 was to enable local authorities to carry out schemes of improvement affecting extended areas. An official representation regarding the insanitary condition of a district may be made by the medical officer of health, and must be made, if required by two Justices of the Peace of the district or by twelve ratepayers. The official representation must satisfy the local authority that the district is unhealthy, and that the only possible remedy is an improvement scheme. Thereupon the local authorities may proceed to frame a scheme, with maps, particulars, and estimates, with the proviso that any such scheme shall provide dwellings (if possible in the same district) for as many persons as are thereby displaced. Where it is possible, the scheme may be carried out by the owner under the supervision of the local authority. In the usual case, however, the scheme, as involving compulsory purchase by the local authority, is embodied in a provisional order, which must be confirmed by Act of Parliament. There are sundry provisions for protecting the legitimate interests of owners; for deterring local authorities from extravagant expenditure, as well as for enforcing on them the performance of their duties under the Act; for advancing Government loans for the purposes of the Act; for exacting penalties for obstructing the execution of the Act, &c.

This Act was found to be of great practical value, and even Mr. Chamberlain, shortly after the passing of the Act, spoke of it as having "done more for the town of Birmingham than had been done in the twenty preceding years of Liberal legislation."

Sir George—then Mr.—Trevelyan, speaking on July 7, 1875, said :—

"Of all the Bills which our labours of this year have turned into Acts, there is none about which members of both political parties will speak with more pride and satisfaction in the course of next autumn and winter than the Artisans' Dwellings Bill."

Under the Public Health Acts passed by the Conservative Government in 1875 for England, and in 1878 for Ireland, the urban sanitary authorities obtained power to adopt the Artisans' Dwellings Act of 1875. Practical experience of its working showed two defects, which were remedied for England and Ireland in 1879, and for Scotland in 1880, by the Conservative Government. (1.) It was found that owners bought out under an improvement scheme frequently benefited from their own misdeeds, because arbiters assessed the value of property simply according to rental, and without reference to its sanitary condition. Accordingly the amending Acts provide that if the house is proved to have been at the date of the official repre-

sentation a *nuisance*, then the arbiter shall fix what the value of the house would be with the nuisance abated, and shall deduct therefrom the probable cost of abating the nuisance. (2.) It was sometimes found impossible to provide on the same area accommodation for the persons displaced under an improvement scheme. The amending Acts allow it to be provided elsewhere, under certain safeguards.

In 1879 an Act was also passed by the Conservative Government to amend the Act of 1868 above described. The owner of premises specified in any order of the local authority under that Act is empowered to require the local authority to purchase them. [This provision was repealed by the Act of 1885.] The price is fixed by arbitration, but regard may be had to the increased value of other premises belonging to the same owner, due to the improvements effected by the local authority. Land acquired under the 1868 Act may be dedicated as a public place, and local authorities may, with the approval of a Secretary of State, contract for the building, repairing, lighting, watering, &c., of workmen's dwellings, and may make by-laws for their regulation. Section 6 of the Public Works Loans Act of 1879 provides for loans to societies for the improvement of workmen's dwellings, at a low rate of interest. This concludes Conservative legislation on this subject for a time.

What, then, did the Liberal Government of 1880-85 do? In 1881 a Government Loans Bill defined further the societies to which loans under the 1879 Act might be made. In the Municipal Corporations Act (England), 1882, corporations were empowered to lease corporate land for 999 years or less for (among other purposes) working men's dwellings. These were not great achievements. However, in 1882, an Artisans' Dwellings Act was passed, containing several useful amendments. It was made possible to obtain, within twelve months of the passing of the Act, a limited dispensation from the enactment which required local authorities to provide accommodation for all the persons displaced under an improvement scheme. It was further provided that in valuing lands taken under the 1875 Act, no allowance should be made for unnecessary improvements executed after the statutory public advertisement. Also the local authority was empowered to purchase buildings not unfit for habitation if they stopped ventilation, or prevented proper remedies being applied to other buildings.

This, then, is all that was done till the Conservatives returned to power, except the appointment of a Royal Commission on the subject at the instance of Lord Salisbury, on which H.R.H. the Prince of Wales consented to serve. The short-lived Conservative Government of 1885, however, passed another important measure known as



*The Housing of the Working Classes Act, 1885.*—It has a wider scope than any of the previous Acts, its general aim being “the provision of suitable dwellings for the working classes.” The first part of the Act relates to the Labouring Classes Lodging-Houses Acts, 1851–1867. Power to adopt these Acts was given to all urban sanitary districts, and also (for the first time) to rural sanitary districts. In this way it was, for the first time, made possible for rural local authorities to provide healthy homes for the labouring classes in country districts. It is provided that the term “Lodging-Houses” shall include separate houses or cottages, and that a cottage may have half an acre of garden ground. In addition to many other important amendments, too technical to notice here, material improvements were effected in general sanitary law. It was declared to be the general duty of local authorities to enforce the sanitary law, so as to secure the sanitary condition of all houses within their districts. Power was also given to them to regulate by by-laws the sanitary condition of tents, vans, sheds, and other such structures, used for human habitation, and to examine such places when they have reason to suspect the existence of infectious disease therein. Power was given to limited owners and to corporations to provide land for working-class dwellings, even though a higher price might otherwise be obtained for such land. Further, the Artisans and Labourers’ Dwellings Improvement Acts, which had applied solely to boroughs of over 25,000 inhabitants, were now extended to all urban sanitary districts. One of the most important provisions of the 1885 Act was that which enacted that in letting houses for the working classes it should henceforth be implied as a condition that the house is, at the commencement of the holding, reasonably fit for human habitation.

Five years later the whole subject was again dealt with by the Conservative-Unionist Government of Lord Salisbury, and a comprehensive consolidating Act passed re-enacting and amending the provisions of the many previous Acts which have now been repealed.

*The Housing of the Working Classes Act, 1890,*<sup>1</sup> is mainly divided into three parts, dealing respectively with unhealthy areas, with unhealthy dwelling-houses, and with working-class lodging-houses. The first part is applicable only to urban sanitary districts, and empowers the local authority on being satisfied that any houses, courts, or alleys are unfit for human habitation, or that the state of the streets and houses in any area is dangerous or injurious to the health of the inhabitants of the area or of the neighbouring buildings, and that the defects cannot be effectually remedied otherwise, to make an improve-

<sup>1</sup> 53 & 54 Vict. c. 70.



ment scheme for the rearrangement and reconstruction of the streets and houses within the area. Full provisions are made for carrying out such a scheme, and for taking land compulsorily if necessary. Provision must be made for the accommodation in suitable dwellings of those displaced. Compensation must be fixed with regard to whether the rental has been enhanced by overcrowding, the actual state of the premises, and whether they are fit for human habitation. Under the second part of the Act it is the duty of every medical officer of health to represent to the local authority of the district—whether rural or urban—“any dwelling-house which appears to him to be in a state so dangerous or injurious to health as to be unfit for human habitation.” The procedure can also be set in motion by a complaint from four or more householders, and a duty is laid upon local authorities to make from time to time inspection of their districts, and to take proceedings for closing unfit dwelling-houses. After a closing order has been made, the local authority may pass a resolution that it is expedient to order demolition, and after due notice and under provisions for appeal this may be carried out. Powers are given to purchase obstructive buildings which stop ventilation or make other buildings unfit for habitation, or prevent proper measures being carried out for remedying nuisances. Schemes may be made for the reconstruction of houses ordered to be demolished, for dedicating the sites as highways or open spaces, or selling them for the erection of working-class dwellings, or exchanging them for suitable neighbouring land. The County Councils have power to take proceedings out of the hands of the district authorities where the latter do not discharge their duty. In Part III. lodging-houses are declared to include separate houses or cottages, which may include a garden of not more than half an acre, and large powers are given to local authorities for the erection and management of lodging-houses. A number of other detailed provisions are made, and the implied condition that any house let for habitation by persons of the working classes shall be at the commencement of the holding in all respects reasonably fit for human habitation, is defined as applying in Scotland to houses let at a rent not exceeding £4. There was also passed in 1890 an Act<sup>1</sup> to facilitate gifts of land for dwellings for the working classes in populous places in England and Ireland. A short Act amending slightly, as far as Scotland is concerned, the large Act of 1890 was passed in 1892.<sup>2</sup>

All the important legislation on this question has thus taken place at the instance of Conservative Governments or under Conservative auspices. Up to 1892 the Liberal party had been

<sup>1</sup> C. 16.

<sup>2</sup> 55 & 56 Vict. c. 22.

in office twenty-five years since 1851, and the Conservative party about sixteen years, yet the former makes a beggarly show in this branch of legislation, which has contributed so largely to the comfort and welfare of working men.

### e. THE HEALTH OF THE PEOPLE.

*The Public Health Acts.*—Closely allied to the question of houses is that of the other legislative provisions directed to guard the health of the people. "The first consideration of a minister," said Mr. Disraeli in 1872, "should be the health of the people." The doctrines which he then enunciated were sneered at as "a policy of sewage," a criticism which drew from him the reply, "Well, it may be the policy of sewage to Liberal members of Parliament, but to one of the labouring multitude of England who has found fever always to be one of the inmates of his household—who has, year after year, seen stricken down the children of his loins on whose sympathy and material support he has looked with hope and confidence, it is not a 'policy of sewage,' but a question of life and death."

The policy announced by Mr. Disraeli at Manchester had been inaugurated with marked success during his previous period of administration. His Government in 1867 passed an Act introduced by Lord-Advocate Gordon, which has been of the very greatest importance and benefit to Scotland. Previous to this, the laws which had for their object the preservation or promotion of the public health were of the most crude, contradictory, and fragmentary nature—in spite of the fact that for eighteen of the twenty preceding years Liberal Governments had been in power. Attempts had been made in 1845 by the creation of the Board of Supervision under the Poor Law Act, by the Nuisance Removal Acts of 1846, 1848, and 1849, by the Public Health Act of 1856, and by the Smoke Nuisance Act of 1857, as well as by what is known as Provost Lindsay's Act of 1862, to do something in the way of legislation; but the lead given by Sir Robert Peel in 1845 had been but feebly followed up by his Liberal successors in office, and when Mr. Disraeli's Government set themselves to face the question, chaos reigned.

*Public Health (Scotland) Act, 1867.*<sup>1</sup>—By the Scottish Act of 1867, sanitary inspectors and medical officers were first instituted; power is given to local authorities to stop nuisances; food unfit for human consumption may be seized by the inspector, and the vendor fined £10. Heavy fines are imposed for the pollution of streams, reservoirs, aqueducts, wells, or ponds; regulations are made as to offensive and noxious trades;

<sup>1</sup> 30 & 31 Vict. c. 101.

and the very important matter of the prevention of the spread of infectious diseases is for the first time seriously dealt with by the Legislature. By the same Act the first step was taken in the direction of preventing landlords letting as dwelling-houses apartments not considered healthy by the medical officer. Cellars imperfectly ventilated were prohibited to be used as dwelling-houses. The registration of common lodging-houses was also made compulsory by this Act, and the local authority was given power to insist on the provision of an adequate supply of water. The questions of drainage and water supply in general were also dealt with, powers being given to local authorities to make suitable provision for these.

*Public Health Act of 1875.*<sup>1</sup>—It was not till Mr. Disraeli's Government in 1875 passed this Act that many of the benefits conferred on Scotland by the Act of 1867 were extended to England—an Act passed in 1872 by Mr. Gladstone's Government, in unsuccessful imitation of the Scottish Act, having proved unworkable in many important details, as well as expensive in operation. By the Act of 1875, not only was a revolution effected in the whole administration of sanitary law in England, but that law was to a very great extent created. This Act deals with the administration of all Public Health Statutes; its provisions affect drainage, cleansing of towns, water supply, prevention of pollution of water; it contains regulations as to lodging-houses and cellar dwellings; while, as in the Scottish Act, the important subjects of nuisances and offensive trades, unsound meat, and infectious diseases are dealt with in a comprehensive manner. It provides for the erection of hospitals when necessary, and gives power to local authorities to make special regulations in time of epidemics; while amongst its numerous other provisions with regard to the powers of local authorities, it enables these bodies to provide open spaces and parks or pleasure-grounds for the benefit of the public.

In the same year there was passed an Act<sup>2</sup> which facilitated the administration of the Scottish Act of 1867; and in the following year there were two,<sup>3</sup> enlarging its scope—one with reference to Loans for Sanitary Purposes, and the other An Act for the Prevention of the Pollution of Rivers and Streams. The Act of 1878,<sup>4</sup> entitled, An Act to enable Local Authorities to acquire and lay out Land for Public Parks and Pleasure Grounds in Scotland, was another important development of the Act of 1867; while in England this matter has been dealt with by two Acts<sup>5</sup> passed by Lord Beaconsfield's Government.

Mr. Disraeli's cry had been "Pure air, pure water, the inspec-

<sup>1</sup> 38 & 39 Vict. c. 55.

<sup>3</sup> 38 & 39 Vict. c. 31; 38 & 39 Vict. c. 75.

<sup>5</sup> 39 & 40 Vict. c. 56; 40 & 41 Vict. c. 35.

<sup>2</sup> 38 & 39 Vict. c. 74.

<sup>4</sup> 41 & 42 Vict. c. 8.

tion of unhealthy habitations, the prevention of the adulteration of food ;” and having done much by means of the foregoing Acts to provide the first three of these, he took up the last also in 1875, and passed the Sale of Food and Drugs Act.<sup>1</sup>

It prohibits the mixing of injurious ingredients with articles of food or with drugs.

It imposes a penalty of £20 on any one who sells any compound article of food or compounded drug which is not composed of ingredients in accordance with the demand of the purchaser.

It provides for the appointment of analysts.

It contains a special provision as to tea—viz., all tea is to be examined by the Customs officials on importation ; and when in the opinion of the analyst it is unfit for food, the tea shall be destroyed.

This Act was amended and made more stringent in 1879,<sup>2</sup> when the important question of the adulteration of milk was specially dealt with.

By the Canal Boats Act of 1877 important steps were taken to improve the condition of the portion of our population who spend their lives in boat-dwellings on the canals.

Two statutes with regard to the provision of Public Baths and Washing-Houses, passed in 1878, give further instance of the practical common-sense nature of Tory legislation. These are the Swimming Baths Act,<sup>3</sup> and an Act<sup>4</sup> to amend the law relating to Public Baths and Washing-Houses.

Lord Salisbury’s Government has still further developed the same policy as circumstances required.

By the Margarine Act, 1887,<sup>5</sup> the fraudulent sale as butter of substances made in imitation of butter was prohibited.

The provisions of the Metropolitan Open Spaces Act<sup>6</sup> were in the same year extended to sanitary districts throughout England and Ireland.

In 1888 the English Public Health Acts<sup>7</sup> were amended in relation to buildings in streets. In 1889 stringent regulations were placed upon the sale of horse flesh for human food,<sup>8</sup> and an Act was passed requiring full notification of all infectious diseases.<sup>9</sup>

In 1890<sup>10</sup> the Open Spaces Acts in England and Ireland were further amended, the Scottish Public Health Act was amended in reference to the provision of hospitals,<sup>11</sup> the construction of more sanitary barracks was authorised,<sup>12</sup> an English Act was

<sup>1</sup> 38 & 39 Vict. c. 63.

<sup>2</sup> 41 Vict. c. 14.

<sup>3</sup> 50 & 51 Vict. c. 29.

<sup>4</sup> 51 & 52 Vict. c. 52.

<sup>5</sup> 52 & 53 Vict. c. 72.

<sup>6</sup> 53 & 54 Vict. c. 20.

<sup>7</sup> 42 & 43 Vict. c. 30.

<sup>8</sup> 41 & 42 Vict. c. 14. ;

<sup>9</sup> 50 & 51 Vict. c. 32.

<sup>10</sup> 52 Vict. c. 10.

<sup>11</sup> 53 & 54 Vict. c. 15.

<sup>12</sup> 53 & 54 Vict. c. 25. ;

passed to prevent the spread of infectious disease,<sup>1</sup> and an important measure was carried through further amending the English Public Health Acts.<sup>2</sup>

In 1891<sup>3</sup> English urban authorities were empowered to provide museums and gymnasiums, the Scottish Public Health Acts were amended<sup>4</sup> so as to provide further facilities for water supply in the districts marked out under the Local Government Act of 1889, and a large measure<sup>5</sup> consolidating and amending the laws relating to public health in London was placed on the Statute-book. In 1892, the Alkali, &c., Works Regulation Act was amended and made applicable to a number of additional works.<sup>6</sup>

Lord Beaconsfield once said that it was impossible to over-rate the importance of sanitary legislation. When it is considered that in 1872 there were estimated to be in Britain 125,000 preventible deaths, and 3,000,000 to 4,000,000 serious cases of preventible disease, these words do not appear to overstate the truth.

#### *f.* AIDS TO INDUSTRY AND THRIFT.

*The Friendly, Co-operative, and Building Societies Acts, &c.*—Next to securing full freedom of labour, and healthy conditions in which to exercise it, nothing can be more important to working men than encouragement to thrift and industry, and security for what they are able to lay aside against the day of misfortune or old age. This also they owe to Conservative legislation. One of the early achievements of Lord Beaconsfield's Government of 1874 was to reorganise and consolidate the law relating to Friendly Societies. Mainly owing to the exertions of Lord Iddesleigh, then Sir Stafford Northcote, a Royal Commission, of which he was chairman, had been appointed in 1870 to inquire into the working of these societies throughout the kingdom. There was much need for such an inquiry, for persons too often found that, after paying money for many years into a society, it failed them in their time of need, either from having been originally started on an insufficient basis or from the dishonesty of its officials. After some years' hard work, the Commission reported, and the outcome of their report was the Friendly Societies Act,<sup>7</sup> passed by Lord Beaconsfield's Government in 1875. This Act affects five different classes of societies: 1. Friendly Societies; 2. Cattle Insurance Societies; 3. Benevolent Societies; 4. Working Men's Clubs; 5. Specially authorised

<sup>1</sup> 53 & 54 Vict. c. 34.

<sup>2</sup> 54 & 55 Vict. c. 22.

<sup>3</sup> 54 & 55 Vict. c. 76.

<sup>4</sup> 53 & 54 Vict. c. 59.

<sup>5</sup> 54 & 55 Vict. c. 52.

<sup>6</sup> 55 & 56 Vict. c. 30.

<sup>7</sup> 38 & 39 Vict. c. 60.

Societies. It made many important alterations in the law relating to these bodies, and gave them certain privileges which they did not possess before. It is impossible to enumerate all the advantages which a Friendly Society has, in virtue of registration under the Act; but the following are among the chief:—

1. It can legally hold land and other property in the names of its trustees.
2. It can proceed by its trustees against any person who obtains any of its property by false representation or imposition, or who, having possession of its property, wilfully withholds or misapplies it.
3. It has a claim prior to any other creditor on the bankrupt estate of any of its officers.
4. Its documents are almost entirely free from stamp duty.
5. Certificates of birth or death of members only cost 1s., or 6d. when more than one certificate is applied for after the first.
6. Its officers are bound to render account of its money, and may be compelled to do so.
7. The settlement of disputes is carefully arranged for in several ways.
8. Any member above sixteen may dispose of sums payable by a society at death not exceeding £100, by written nomination, without a will.
9. Where there is no will and no nomination, the trustees may dispose of sums under £100 without confirmation or other formality.
10. Money due to a member of illegitimate birth may be thus distributed as if he had been legitimate. (Under ordinary circumstances it would go to the Crown.)
11. A society can call in the services of public auditors to audit its accounts, and of public valuers to make the valuation of its assets and liabilities, without which it is impossible to tell whether or not a society is financially sound.
12. Its rules and other documents are placed on record in a public office, where they can be seen and copies obtained, and all correspondence with that office relative to the business of a Friendly Society is free of postage.
13. Almost without exception, registered Friendly Societies are exempted from income-tax.

The above are a few of the principal advantages conferred on Friendly Societies by the Act passed by Lord Beaconsfield's Government. If Sir Stafford Northcote had done nothing more during his political life than undertake the chairmanship of the Royal Commission on Friendly Societies, and the charge of the Bill, which ultimately became law, it would have earned him the warmest thanks of the provident working classes. Not long ago, the secretary of one of the largest Orders in Great



Britain bore testimony—though he expressly said he was not a Conservative himself—to the attention which the Conservative party had given to the subject of Friendly Societies, and the valuable legislative enactments it had passed in connection with them. It was estimated that in 1873 there were 3,000,000 working men who were directly or indirectly interested in the great Friendly Societies.

In 1876 an Act amending the Act of 1875 was passed by the Conservatives; its details are too technical to reproduce here, but it may be said to have put the branches of the large Orders, such as the Foresters and Oddfellows, on a different and more advantageous footing than they were on before. It also increased the facilities for members making nominations of persons to whom the sums for which they were insured in a Friendly Society might be payable.

We noticed above the advantages which a Conservative Government bestowed on Friendly Societies by the Act of 1875. It is not only societies, as a whole, which were benefited by it; each individual member has certain privileges under that Act which he did not formerly possess. Let us see what some of them are. He can

1. Obtain a copy of the society's rules on demand for payment of a few pence.
2. Inspect the books of the society at all reasonable hours.
3. Have gratuitously on application a copy of the last annual return or balance-sheet.
4. See that copies of the balance-sheet and last valuation are always kept hung up in the office.
5. Obtain authority to prosecute any person misapplying or embezzling the funds.
6. Sue the society for penalties when aggrieved by any illegal act or omission.
7. Nominate a person to whom the money payable at his death may be paid, and so avoid the formality and expense of making a will.
8. Have his claim for relief, if he has any, satisfied on the dissolution of the society.
9. Apply to the Sheriff for redress if dissatisfied.

If he is a volunteer or militiaman he does not lose or forfeit any interest in his society, nor can he be fined for absence from any of its meetings, if his absence was occasioned by the discharge of his naval or military duties.

As in the case of the other subjects already dealt with in this chapter, it has fallen to Lord Salisbury's Government once more to take up and develop the policy of his Conservative predecessors, for



In 1887 an Act<sup>1</sup> was passed amending in many details the Act of 1875, and a further amending Act was passed in 1889.<sup>2</sup>

*Co-operative Societies.*—When the system of co-operation is extending so widely among the industrial classes of our country, it is interesting to note that the first Act by which Co-operative Societies were recognised as separate institutions was passed by the Conservatives, during the Administration of Lord Derby in 1852. Previously all such societies had been excluded in the Acts regulating Friendly Societies, with which they really had very little in common. In 1852, then, an Act was passed which provided for the establishment of societies of working men for the carrying on of any labour, trade, or handicraft. It was not a very long or elaborate Act, but it gave a great impetus to the spread of co-operation. But it was not till 1876 that Co-operative (or, as they have always been termed in Acts of Parliament, Industrial and Provident) Societies were placed on the footing on which they now stand. This Act<sup>3</sup> was passed by Lord Beaconsfield's Government, and it conferred many important privileges on such societies. Chief amongst these was that they now became corporations, and could sue and be sued, and hold land in their own name, and not in the names of trustees, as was formerly the case. A Co-operative Society can now even carry on the business of banking, upon complying with certain provisions of the Act; and this has been found of the greatest use in providing a safe and profitable investment for the savings of the members which they may wish to have within call at any time. This is not the place to speak of the progress which co-operation has made among the working classes, but there is nothing more certain than that there are hundreds of flourishing societies at this moment, managed by working men, turning over many thousand pounds every year, which owe their position to the legislation passed in their favour by a Conservative Government. Not only have they brought pecuniary profit to their members, but they have inculcated lessons of thrift and sobriety on many a household, and increased the social and domestic happiness of thousands.

These laws relating to Industrial and Provident Societies have been consolidated by an Act passed under Mr. Gladstone's Government in 1893,<sup>4</sup> which defines such societies, makes provisions for their management and supervision, and repeals the earlier Act of 1876.

*Building Societies.*—These useful institutions, by which a man, through the payment of small periodical instalments, may ultimately become the proprietor of the house in which he lives, were regulated up to 1874 by an Act which was passed so long

<sup>1</sup> 50 & 51 Vict. c. 56.

<sup>2</sup> 39 & 40 Vict. c. 45.

<sup>3</sup> 52 & 53 Vict. c. 22.

<sup>4</sup> 56 & 57 Vict. c. 39.

ago as 1836, which, in its turn, embodied parts of still older statutes relating to Friendly Societies. The latter were gradually repealed, except in so far as they were referred to by the Building Societies Act of 1836. This rendered the position and working of such societies very anomalous and confused; so in 1874<sup>1</sup> the Conservative Government, which was then in power, passed a new Building Societies Act, by which the position of such societies was much improved. The following are some of the principal advantages conferred on them by the Act:—

1. Every society under the Act is incorporated, and can sue and be sued, and hold property in its own name.
2. A society must have a common seal.
3. It can be dissolved by a simple instrument of dissolution.
4. It is not restricted as to the amount of its shares.
5. It may have members below the age of twenty-one.
6. The liability of members is limited to the amount paid or in arrear on their shares, or, if they have got an advance, to the amount payable thereon.
7. Its borrowing powers are limited.
8. Its officers having charge of money are bound to give security.
9. Sums below £50 left by an intestate member may be distributed without confirmation.
10. Large powers are given in the matter of settling disputes.
11. Provision is made for the supply of copies of rules and balance-sheets to members and others.

The growth in recent years of Building Societies amply proves the appreciation which the public have of the efforts made on their behalf by the Conservatives.

It is a singular fact that during the whole of Mr. Gladstone's Administration from 1880 to 1885, almost no Act of any importance relating to all these different classes of societies was passed.

*Savings Banks.*—Lord Salisbury's Government in 1887<sup>2</sup> also furthered the interests of the small depositors by amending the Acts relating to Post Office Savings Banks and the purchase of small Government annuities, and to assuring payments of money after death.

In the same year<sup>3</sup> it provided for an examination into the affairs of Trustee Savings Banks upon representations by a sufficient number of depositors, the necessity for this having been shown by the recent failures of such banks, and permitted them to be wound up under the Companies Act of 1862. In 1891<sup>4</sup> it passed an important Act instituting an Inspection Committee to examine the affairs of Trustee Savings Banks and supervise

<sup>1</sup> 37 & 38 Vict. c. 42.

<sup>3</sup> 50 & 51 Vict. c. 47.

<sup>2</sup> 50 & 51 Vict. c. 40.

<sup>4</sup> 54 & 55 Vict. c. 21.

these institutions, establishing securities for the performance of duty by trustees, and making regulations as to special investments.

The legislation upon which the vast structure of thrift among the working classes has been raised is thus mainly the work of Conservative statesmen.

The evidence given by Mr. E. Brabrook, Chief Registrar of Friendly Societies before the Labour Commission, showed that the aggregate capital invested in such societies (including the Post Office Savings Bank) was no less than £218,374,046.

Friendly Societies (not Collecting Societies),

England and Wales, hold . . . . .	£21,410,000
Collecting Societies, England and Wales . . . . .	2,289,000
Other Societies under present Friendly Societies Act . . . . .	451,000
Industrial and Provident Societies . . . . .	13,003,000
Building Societies . . . . .	50,582,000

Mr. Thomas Hughes (a Liberal), writing to the *Spectator* on 6th August 1892, said in reference to the Industrial and Provident Societies Acts, in which he had taken a great interest:—

“The facts undoubtedly prove that so far as this important branch of social reform and legislation goes, Mr. Balfour was justified in his statement” (*i.e.*, that the Tories had done more for social reform than the Liberals), “for while both sides did well, the balance of help given inside Parliament inclines decidedly to the Tory side.” He went on to say the same of Trades Union and of Factory legislation, and he concluded—“I wish I could honestly say that the greater share of credit belonged to the other side, to which I always belonged in these days; but the facts are as I have stated them, and in my judgment bear out Mr. Balfour’s conclusion. Indeed, I have long been of opinion that so far as social legislation is concerned, both the old Liberals and those who now usurp that name have generally devoted their strength in tinkering at the machinery by which it is to be carried—shorter Parliaments, paid members, one man one vote, &c. Whereas the Tories, while generally opposing alterations in the machinery, have in their stolid fashion. used it as it stood with considerable success in improving the conditions of life for the poorer classes of our people.”

**g. WHAT HAS BEEN DONE FOR THE MINERS?**

**h. WHAT HAS BEEN DONE FOR SEAMEN AND FISHERMEN?**

**i. WHAT HAS BEEN DONE FOR AGRICULTURAL LABOURERS?**

Answers to these questions, and some account of the important work of the Conservative party and the Unionist Government on behalf of these classes, will be found in the special chapters devoted to these subjects respectively.¶

#### **k. WHAT THE CONSERVATIVES HAVE DONE FOR POPULAR EDUCATION.**

To assist the education of the children of the working classes was an early object of Conservative statesmen. Educational proposals formed an important part of the efforts on behalf of the children engaged in factories, and the reception of these proposals by the Radicals of the day yields instructive reading. In 1843, Lord Shaftesbury, then Lord Ashley, brought forward a motion for an address to the Queen for a general system of religious education for the working classes, and this was followed by a Bill introduced by Sir James Graham for the better regulation and education of factory children. But although the measure carefully provided for instruction being given to children according to the creed of their parents, and for a majority of the trustees who were to manage each school being elected by the ratepayers, the opposition of the English Radical Dissenters was so bitter that Sir James Graham was ultimately obliged to withdraw the Bill, Lord Shaftesbury observing that "the real sufferers were the vast body of neglected infants."

For an account of the more recent educational policy of the Conservative party and their great educational work during the last twenty years, reference is made to the chapter upon education.

#### **l. THE FRANCHISE.**

The general subject of the Franchise will be dealt with elsewhere (see Chapter XXIV.), but it would be impossible to survey the benefits conferred by the Conservatives upon the working classes without reference to this.

It was one of the great objections of the Conservatives to the Reform Bill of 1832, that it destroyed the old representation which the working classes had to a limited extent in the British Constitution, under the old Freeman's Franchise.

It was the Conservative Reform Bill of 1867 that first conferred the Franchise upon working men by basing the leading qualification, not on property, but on the possession of a household. The Liberals enfranchised the middle classes, the Conservatives the artisans.

It is a delusion that the Conservatives opposed the extension of the Franchise they had themselves introduced to the working

classes of the counties. On the contrary, they secured for it its full value by insisting on a fair arrangement of the constituencies. It was about this that the struggle was in 1884, and not at all on the question of the extension of the Franchise.

**m. MISCELLANEOUS MEASURES CONTRIBUTING TO THE WELFARE OF THE WORKING CLASSES.**

Working men, in common with other members of the community, reap advantages from a wise foreign policy, from sound finance, and from judicious measures directed to promote trade, to maintain social peace, and to further the general progress of the nation. But certain measures affect them more directly though not solely, and of these a large proportion must be placed to the credit of the Conservative party.

In addition to the measures directly concerned with the working classes which have been already referred to, Lord Beaconsfield's Government (1874-1880) passed the following Acts which indirectly benefited them.

It made the property of the rich contribute more to the rates by an Act<sup>1</sup> extending the Poor Rate Acts to plantations, shooting and fishing rights, and mines, all previously exempt.

It protected good work and honest manufacturers by an Act<sup>2</sup> establishing a Register of Trade-Marks.

It relieved the widows and children of intestates in Scotland where the estate is of small value.<sup>3</sup>

It prevented illegal enclosures and promoted public recreation by an Act<sup>4</sup> dealing with the enclosure of commons in England.

It amended the laws relating to the relief of the poor in England,<sup>5</sup> and put a stop to the separation of aged married couples in workhouses.

It relieved the executors of testates in Scotland where the estate is small.<sup>6</sup>

It decreased the rates and improved the condition of prisoners by an Act<sup>7</sup> transferring the cost of prisons to the Imperial Exchequer.

It amended the Free Libraries Act.<sup>8</sup>

It protected women against brutal husbands by an Act<sup>9</sup> giving magistrates in England power to grant a judicial separation to wives whose husbands had committed aggravated assaults upon them.

<sup>1</sup> 37 & 38 Vict. c. 54, 1874.

<sup>2</sup> 38 & 39 Vict. c. 41.

<sup>3</sup> 39 & 40 Vict. c. 61.

<sup>4</sup> 40 & 41 Vict. c. 21, 1877.

<sup>5</sup> 41 Vict. c. 19, 1878.

<sup>6</sup> 38 & 39 Vict. c. 91, 1875.

<sup>7</sup> 39 & 40 Vict. c. 56, 1876.

<sup>8</sup> 39 & 40 Vict. c. 24.

<sup>9</sup> 40 & 41 Vict. c. 54.

It removed danger to life and property by an Act<sup>1</sup> empowering the Board of Works to enforce strict regulations for ensuring the safety of buildings.

It prevented frauds upon the poor by an Act<sup>2</sup> consolidating the law as to weights and measures.

It improved the position of the private soldier by the Army Discipline and Regulation Act.<sup>3</sup>

Lord Salisbury's Government of 1885 passed the Criminal Law Amendment Act<sup>4</sup> for the protection of young girls.

Lord Salisbury's Government of 1886 passed an Act<sup>5</sup> to permit the conditional release of first offenders.

Provided for the earlier closing of public houses.<sup>6</sup>

Amended and consolidated the Public Libraries Act<sup>7</sup> in England and Scotland.

Protected honest tradesmen by Acts consolidating and amending the law as to fraudulent marks on merchandise.<sup>8</sup>

Improved the law as to patents, designs, and trade-marks.<sup>9</sup>

Further amended the law as to weights and measures, and as to the sale of coal, specially protecting the interests of purchasers of small quantities.<sup>10</sup>

Made better provision for the widows of certain intestates in England.<sup>11</sup>

Amended the Boiler Explosions Act.<sup>12</sup>

Passed important measures making provision for the pensions, allowances, and gratuities of police-constables and their widows and children.<sup>13</sup>

Amended the law as to the custody of children in Scotland, where parents are neglectful of their duties.<sup>14</sup>

Gave facilities to managers of reformatories and industrial schools for starting children in useful careers.<sup>15</sup>

Extended to army schools the benefit of certain educational endowments.<sup>16</sup>

Amended the Scottish law as to the presumption of life.<sup>17</sup>

The Conservatives abolished the import duties on cattle, corn, flour, sugar, butter, bacon, cheese, eggs, and twelve hundred other articles, and have, under Lord Salisbury, reduced those on tea and currants. The cheap breakfast table is due to them. The Unionist Government (1886-92) reduced the duty on tobacco by 4d. in the lb., and the house duty on small

<sup>1</sup> 41 & 42 Vict. c. 32.

<sup>3</sup> 42 & 43 Vict. c. 33, 1879.

<sup>5</sup> 50 & 51 Vict. c. 25, 1887.

<sup>7</sup> 50 & 51 Vict. cc. 22, 42; 52 Vict. c. 9; 53 & 54 Vict. c. 68.

<sup>8</sup> 50 & 51 Vict. c. 28, 1887, and 54 Vict. c. 15.

<sup>9</sup> 51 & 52 Vict. c. 50, 1888.

<sup>11</sup> 53 & 54 Vict. c. 29, 1890.

<sup>13</sup> 53 & 54 Vict. cc. 45, 67.

<sup>15</sup> 54 Vict. c. 23.

<sup>17</sup> 54 Vict. c. 29.

<sup>2</sup> 41 & 42 Vict. c. 49.

<sup>4</sup> 48 & 49 Vict. c. 67.

<sup>6</sup> 50 & 51 Vict. c. 38.

<sup>10</sup> 52 & 53 Vict. c. 21, 1889.

<sup>12</sup> 53 & 54 Vict. c. 35.

<sup>14</sup> 54 Vict. c. 3, 1891.

<sup>16</sup> 54 Vict. c. 16.

houses by 4d. in the £1. It was estimated, that with the abolition of school-fees, and the reduction of duties during these six years on articles he requires, a working man with a family might be better off by a shilling a week than he was when Mr. Gladstone was in office, apart altogether from the benefit reaped from the revival of trade, due in no small degree to good government at home and peace abroad.

It was Lord Salisbury's Government of 1885 that appointed the Royal Commission to inquire into the causes of the prolonged depression of trade. His second Administration appointed another most important one, which, under the presidency of the Duke of Devonshire, conducted an exhaustive inquiry into the general relations of capital and labour. "The Conservative Government," said Mr. John Burns, at Camden Town, on 17th January 1892, "have granted a Select Committee to inquire into the hours of railway men, also a Royal Commission to report upon the relations of employers and employed in all industries, and as these had caused the companies to reduce hours on all sides—ay, and increase wages too—you as railway men know that a substantial victory has been gained." Well might Mr. Ben Tillett, in view of all the past, say, at Bradford, on 15th January 1892, "I should be a hypocrite were I not to say that the Conservatives of late had done more for the working classes than the Liberals had."



## CHAPTER IV.

### UNIONIST LEGISLATION AND ADMINISTRATION.

THE details under the following heads will be found in the chapters dealing with the respective subjects:—

*Foreign, Colonial, and Indian Affairs* (Chapter I.).  
*National and Imperial Defence, Army, Navy, and Reserve Forces* (Chapter II.).  
*Scotland* (Chapter V.).  
*Agricultural Labourers* (Chapter VI.).  
*Seamen and Fishermen* (Chapter VII.).  
*Miners* (Chapter VIII.).  
*Education* (Chapter IX.).  
*Finance* (Chapter X.).  
*Ireland* (Chapter XI.).

### AGRICULTURE.

#### (a.) LEGISLATION.

*The Allotment Acts, 1887 and 1890* (50 & 51 Vict. c. 48, and 53 & 54 Vict. c. 65).—These Acts secure that in every district of the country where there is a demand for allotments, and where they can be provided without loss to the ratepayers, labourers are to get allotments of an extent not exceeding one acre of land. Further details in regard to this measure will be found in the chapter on Legislation for Farm Labourers (see Chapter VI.).

*Board of Agriculture Act, 1889*.—Under this Act the importance of the agricultural industry was recognised by the creation of a separate department of State to deal with it. A Board has been created to deal with all agricultural business (including cattle disease, the enclosure of commons, land drainage and improvements, the Ordnance Survey, the Rabies Act, and the Destructive Insects Act), with powers to collect information, conduct experiments, assist agricultural schools, &c. The head of this department under the late Government, Mr. Henry Chaplin, was admitted a member of the Cabinet.

*Tithe Act, 1891*.—In Scotland teinds or tithes are paid, not

by the tenant, but by the proprietor. In England, on the contrary, tithes have always been paid by the occupier. This gave rise to much friction in Wales and some other districts of the country. The Liberationists stirred up tenants who were Dissenters to resist payment of tithe as being an iniquitous impost. The fomenters of this agitation were thoroughly dishonest, because they represented to the farmers that the Church, and the Church alone, imposed this burden upon them, whereas when they addressed urban and artisan audiences, they never for a moment represented that one penny less of tithe would be levied if the Church were disestablished to-morrow. On the contrary, the tithes were held out as a Disestablishment bribe. The Act of 1891 assimilates the rule in England to what is observed in Scotland. The tithe is henceforth to be paid not by the tenant but by the landowner directly. The clergy are thereby relieved of the irksome necessity of proceeding against tenants for the recovery of tithes, and a great source of irritation has been removed. The measure was opposed, as all such remedial legislation is, by the Disestablishment party, whose invariable policy when there is a grievance in connection with the Established Church is to keep that grievance open.

*Minor Measures.*—The following other measures affecting the agricultural industry were passed by the Unionist Government or with their co-operation:—

*Allotments Compensation Act, 1887.*—To give to holders of allotments and cottage gardens compensation for their improvements and crops.

*Allotments Rating Act, 1891.*—To reduce the amount of sanitary rates payable on labourers' allotments.

*Glebe Lands Act, 1888.*—To authorise the sale of Church lands and to empower local authorities to acquire them for labourers' allotments.

*Tenants' Compensation Act, 1890.*—To enable farmers to claim compensation for improvements from landlords holding as mortgagees.

*Pleuro-pneumonia Act, 1890.*—To protect flocks and herds from the ravages of this disease. Under this Act the burden of compensation for slaughtered cattle is transferred from local rates to imperial funds, supplemented, if necessary (which is not likely), from the Local Taxation Account of England and Scotland.

*Markets and Fairs Acts, 1887–91.*—To require local authorities to provide means for weighing cattle and to make statistical returns for public information.

*Margarine Act, 1887.*—To punish the fraudulent sale of foreign substitutes as English butter.

*Hares Preservation Act, 1892.*—This Act provides a close time

during the breeding season for hares, and thereby protects from extermination an animal in which landlord and tenant have a joint right.

(b.) ADMINISTRATION.

The administration of the Unionist Government in agricultural matters was not less vigorous than their legislation.

An *Intelligence Department* was organised for the collection of statistics and the diffusion of information.

*Leaflets* were widely circulated among agriculturists giving information as to injurious insects, improved methods of culture, precautions against disease, &c.

*Commons.*—Steps were taken to define and protect public rights in *common lands*.

*Allotments.*—Model regulations for the management of allotments were drawn up and widely circulated by the Local Government Department. From a recent return prepared by the Department it appears that there are now about 450,000 *allotments* in England, and that the number is increasing at the rate of upwards of 20,000 *per annum*.

*Cattle Disease.*—Effective measures were taken to protect the *cattle* of the country from the ravages of *pleuro-pneumonia* and *foot and mouth disease* both by the prohibition of importation of stock from infested countries and by stringent enforcement of the regulations in case of the outbreak of disease at home. The *Pleuro Act* came into force in September 1890. Up to that date the outbreaks every year had seldom been below 400, and had often been above 1000; in one year—1874—there were 3200 cases. When the Act came into operation the numbers rapidly declined. In 1890 the number of outbreaks was 484, in 1890 they fell to 192, and in 1892 up to May 31 there were only 21 cases; and the average was lower when the Government left office than at any time since the first appearance of the disease in Great Britain in 1842. A serious outbreak of foot and mouth disease in 1892, which attacked 5094 animals, was stamped out by the promptness and rigour of the Department in three months. A similar outbreak in 1880 was not stamped out for several years, and affected an enormous number of live stock.

*Schools, &c.*—Grants have been made to a large number of *agricultural and dairy schools* in different parts of the country. Rules have been made to check ill-usage of *animals* on ocean voyages.

*The Hop Industry.*—A Parliamentary Committee was appointed to consider the condition of this industry, and to report whether any legislation could be adopted with a view to its improvement.

*Horse Breeding.*—A standing Royal Commission has been appointed upon this matter, provided with funds applicable to the purpose. These funds are applied for prizes at agricultural shows, and in assisting farmers to obtain the services of the best sires.

*Forestry.*—A special inquiry was made into the extent of woods and plantations in Great Britain, and grants were given for the teaching of forestry.

*Tuberculosis.*—A Royal Commission has been appointed to inquire into the origin of this disease and to suggest remedies.

*Rabies.*—This dangerous canine disease was almost completely stamped out by the energetic enforcement of a muzzling order.

*Miscellaneous.*—Special inquiries were made into a number of questions affecting agriculture, such as the prevalence of the diamond-backed moth and of field mice, the potato disease, the methods of dairy-farming and cheese-making, the system of markets, &c.

## LOCAL GOVERNMENT AND PUBLIC HEALTH.

### (a.) LEGISLATION.

The English *Local Government Act*, 1888, established popular representative local government in every county in England, and solved the question of the Local Government of London, which had baffled Liberal Governments. Provision was made by these measures for the relief of local taxation by upwards of £2,000,000, and by the *Local Taxation Act* of 1890 a further sum of £1,000,000 was given for the relief of local rates and the encouragement of technical education.

The following minor measures may be classed under this head:—

*Notification of Infectious Disease Act*, 1889, and the *Infectious Disease Prevention Act*, 1890.—Both measures designed to check the spread of infectious disease amongst the people.

*Horse-flesh Act*, 1889.—To prevent the fraudulent sale of horse-flesh for human food.

*Poor-Law Act*, 1889.—Which gives the parochial authorities more extended control of deserted children.

*London Public Health Act*, 1891.—Consolidating the law, providing for the suppression of nuisances, for increased sanitary precautions and safeguards, and for the enforcement of the law by public authorities.

*London Water Companies Act*, 1887.—To prevent the tenant's water-supply from being cut off when rates have been left unpaid by the landlord.

*Police Acts, 1890.*—Providing retiring pensions for the police in England and Scotland on a just basis.

*Police Enfranchisement Act, 1887.*—To enable the police to vote at Parliamentary elections.

*Public Libraries Acts, 1887-90.*—Which improve the administration of the principal Act on this subject.

*Open Spaces Acts, 1887-90.*—Which increase the facilities for obtaining popular recreation in country towns.

*Bribery Act, 1889.*—To punish frauds on public bodies by the secret payment of bribes, commissions, &c., to officials.

#### (b.) ADMINISTRATION.

*Local Government Acts.*—The complicated provisions of these Acts have been brought into operation with uniform success, and the smoothness of their working has been ensured.

*Public Health.*—A Royal Commission conducted a comprehensive inquiry into the results of compulsory vaccination. This commission has presented an interim Report, recommending the abolition of cumulative penalties for breach of the Act, and the mitigation of the treatment of prisoners under it. Simple explanations of the duties of parents in regard to vaccination have been gratuitously circulated throughout the country. Special means have been taken to ensure that precautions against epidemics of smallpox and cholera should be effectively provided by local authorities. The attention of local authorities throughout the country was especially directed to their powers and duties in connection with the provision of town accommodation for the poorer classes.

*Pauperism.*—The dietary of the casual poor has been improved and rendered uniform throughout the metropolis. The regulations for the discharge of casual paupers have been amended so as to give them better opportunities of obtaining employment. Revised rules have been made for the emigration of orphan and deserted pauper children to Canada, and for their due care and welfare. Special regulations were issued to prevent pauper labour in workhouses competing with free labour outside. The duty of local authorities to prosecute persons neglecting their children has been enforced. A Parliamentary Committee was appointed to consider the powers of Poor-Law guardians to cope with exceptional distress in London and elsewhere. Guardians of the poor were empowered to employ district nurses to attend upon the poor in their own homes. Provision was made for extending to the whole country the system of boarding out children from workhouses.

## LAW REFORM.

### (a.) LEGISLATION.

*Lunacy Act*, 1889.—Giving complete protection and remedy against illegal detention, and requiring a magisterial inquiry in each case.

*Custody of Children Act*, 1891.—Protecting the interests of children who have been abandoned by worthless parents.

*Penal Servitude Act*, 1891.—A measure enabling judges to impose a minimum sentence of three instead of, as formerly, five years' penal servitude.

*First Offenders Act*, 1887.—To permit the conditional release of first offenders without punishment in suitable cases.

*Intestates Estates Act*, 1890.—To give the widow of an intestate the whole of his property when less than £500 in value.

*Foreign Jurisdiction Act*, 1890.—Settling many points in this complicated branch of law, and removing many matters of doubt.

*Electoral Disabilities Removal Act*, 1891.—To prevent soldiers and sailors, &c., being deprived of their votes by reason of absence from their houses on duty.

*Clergy Discipline Act*, 1892.—Providing for the expulsion from the Church of England of any clergyman convicted of immorality.

### (b.) ADMINISTRATION.

*Prisoners*.—The treatment of untried prisoners, and the accommodation provided for them, were greatly improved in many ways.

*Police and Prison Officials*.—The pay of the metropolitan police force was increased, whilst the status of the whole police force was improved by their admission to the benefit of the maximum scale of pensions. Prison clerks' salaries were rearranged in their favour, the position of prison schoolmasters was improved, and a Departmental Committee investigated the claims of prison warders to increased pay and shorter hours.

*Procurators-Fiscal (Scotland)*.—Provision was made in the appointment of these officers, who are charged with the local administration of the criminal law, that they should not engage in private practice as solicitors.

## POST OFFICE.

In no administrative department was greater activity shown during the six years of Unionist government than in that of the Post Office, where a great number of changes and reforms

were effected, which greatly increase the utility to the public of this branch of the public service.

*Postal Facilities.*—A new series of postage stamps was introduced, affording greater security and convenience to the public.

Many minor improvements were made in the regulations in regard to free redirection, cheap postage of Friendly Societies' circulars, polling cards, &c.

An "express delivery" for letters and parcels was established.

The price of post-cards was considerably reduced, and a new contract made, saving £26,000 a year.

Extensions of post offices in rural districts were granted under a more liberal scheme. 400 new post offices were opened in the last year of the Unionist Government.

*Sample Post.*—The inland sample post was re-established, which affords great facilities to tradesmen and their customers.

*Parcel Post.*—The parcel post was enormously developed, and many foreign countries and colonies were brought within its scope.

Parcel coaches were established on certain routes, effecting both speed and economy in delivery.

*Letter Cards.*—These were introduced in answer to a very general public demand.

*Foreign and Colonial Mails.*—New contracts were made for India, China, and the West Indies, securing increased speed and a saving of £112,000 a year.

Two services a week to New York were arranged by Cunard and White Star lines, and the right to use other routes was secured.

The Canadian Pacific route was secured for mails, troops, and stores, to China and Japan, by British ships, and on British territory throughout.

A weekly "all sea" service to Australia was arranged at a cheap postage rate; and post-cards to Australia were reduced to 2d.

A uniform postal rate of 2½d. for the colonies as a whole was established.

*Inland Money Orders.*—The rates of commission were revised and reduced. Telegraphic money orders were introduced. 1800 new money offices were opened in six years.

*Telegraphs.*—The telegraphs account, which had hitherto shown a deficiency, produced in 1891 a surplus of over £100,000.

The submarine cables to France, Germany, Belgium, and Holland were purchased, and the charge for telegrams was reduced to 2d. per word. Direct communication was established with Berlin, Rome, and Vienna. New cables were laid to France and Germany. Arrangements were made with the



telephonic companies for the extension and improvement of their systems. Telephonic communication was opened between London and Paris. 1400 new telegraph offices were opened, and the terms of guarantee were made much more favourable.

*Post Office Staff.*—Sunday labour was greatly reduced, and many other concessions were made to the staff of all classes in regard to holidays, sick pay, uniform, and overtime; and wages were increased by the amount of about £400,000 a year. These changes benefit some 35,000 persons. Situations have been opened to army and navy pensioners.

*Savings Banks.*—Greater facilities were given for investing in Government stock, and the minimum for purchase or sale was reduced to 1s.

The capital in Post Office Savings Banks increased during six years by nearly £21,000,000.

Facilities were given to school managers and others for receiving small deposits from children. Many thousands of new accounts were thus opened.

## LABOUR.

### (a.) LEGISLATION.

*Coal Mines Regulation Act, 1887.*—This is perhaps the most important measure affecting a particular industry which has been passed in recent times. It consolidates the whole law for the protection of the interests of miners, and contains a number of entirely new provisions all conceived in that direction. An account of the more important of the changes of the law effected by the Act will be found in the chapter upon Mining Legislation (Chapter VIII.).

The following are some of the other measures for which the working classes have to thank the Unionist Government:—

*The Factories and Workshops Act, 1891.*—This Act restricts the employment of women after childbirth, raises the entrance age of half-timers to eleven years, provides additional precautions against fire, and enlarges the powers of inspectors to enforce the Factory Acts.

*Housing of the Working-Classes Act, 1890.*—This Act consolidates the entire law on the subject, and restrains house-owners from making a profit out of overcrowding. Further details in regard to this measure will be found in the chapter on Legislation for the Working Classes (Chapter III.).

*Working-Classes Dwellings Act, 1890.*—Which facilitates the gift of land for the purpose of artisans' dwellings in towns.

*Weights and Measures Act, 1889.*—Which gives local authorities powers to protect the poor against fraud in the purchase of their daily necessities.

*Cotton-Cloth Factories Act*, 1889.—This Act, which was promoted by Lord Cranborne, the ex-Prime Minister's son, contains provisions to protect the health of workpeople against excessive damp and dust.

*Savings Banks Acts*, 1887 and 1891.—To enable inquiry to be made into the position of doubtful banks, to constitute an inspection committee with powers to enforce the rules, to exact proper audits, and to make the office of trustee one of real responsibility.

*Friendly Societies Act*, 1887.—Reducing the fees payable by these societies, and improving the administration of society funds.

### (b.) ADMINISTRATION.

*Labour Commission*.—A strong and representative Commission was appointed for the investigation of recent disputes between capital and labour, the cause and cure of strikes, and the general conditions of the labouring classes, with the view to ascertain how far they may be obviated by legislation.<sup>1</sup>

*Mining Royalties*.—A Commission was appointed for the investigation of this subject.

*Coal-Dust Explosions*.—Another Commission investigated the best scientific method of preventing these occurrences.

*Colonisation*.—A Parliamentary Committee was appointed to examine various schemes to facilitate emigration, and to report whether further facilities are desirable, and if so, what are the best means, conditions, and places.

*Emigration and Immigration of Foreigners*.—Another Committee was appointed to inquire into foreign laws restricting the admission of destitute aliens, and to report on the desirability of similar restrictions in this country. Careful statistics upon this matter were collected by the Board of Trade, and the late Government had undertaken to deal with it. The certificate fee for naturalisation was raised to £5, and the wholesale naturalisation of foreigners was thereby checked. For further particulars and discussion on this subject, see Chapter XX.

*Sweating System, Friendly Societies, Small Holdings, Trustee Savings Banks, Hospitals*.—Parliamentary Committees inquired into all these matters. Stipulations were introduced into all Government contracts, for whatever department, to secure that the workmen employed by the contractors should have a fair rate of wages, and that there should be no sweating introduced by sub-contracting or otherwise.

<sup>1</sup> Several leading Gladstonians refused to serve upon this Commission, because it was appointed by a Conservative Government. Their action has now been condemned by Mr. Mundella, who was one who agreed to serve, and who said on 23rd March 1892—"If I had any doubt when I went on this Royal Commission as to its necessity or value, I have none now."

*Railway Servants.*—A committee was appointed to inquire respecting the excessive hours of labour of railway servants, and to report on the desirability of Parliamentary action.

British representatives took part in the *Berlin Conference on the Labour Question* in 1889, when resolutions for the amelioration of the conditions of labour were adopted, some of which have been carried into law. *The publications of the Labour Branch at the Board of Trade*, which are of direct interest to the working classes, were much extended, and rendered more generally useful. The regulations for the appointment of *factory inspectors* were revised so as to give advantage to working men.

*Weights and Measures Act*, and *Merchandise Marks Acts*.—The provisions of these Acts for the protection of the poor and the industrial classes were systematically enforced.

*Factory Inspectors.*—The regulations for the appointment of Factory Inspectors were revised by Mr. Matthews so as to give advantage to working-men candidates, especially by extending the limits of age in their favour.

## INLAND TRADE AND INDUSTRY.

### (a.) LEGISLATION.

*Railway and Canal Traffic Act*, 1888.—This was an Act designed to check the injury done to the trade of the country by the inequality and arbitrary nature of railway rates and charges. The Act protects home produce from unfair rates, and it establishes a judicial tribunal for settling disputes with reference to railway rates and facilities.

*Regulation of Railways Act*, 1889.—To promote public safety by compelling the adoption of the block system, efficient brakes and interlocking points and signals, and by discouraging overtime.

*Merchandise Marks Acts*, 1887 and 1891.—These Acts remove a long-standing grievance. Articles of foreign manufacture were used to be fraudulently sold as of home manufacture, to the great injury of home industry. But under this new legislation, goods manufactured abroad must be stamped with a statement to that effect before they can be lawfully put into the market in this country. A Committee of the House of Commons recently reported upon the beneficial operation of this legislation, and the protection it affords to British industry.

*Patents, Designs, and Trade Marks Act*, 1888.—This Act simplifies procedure, and gives to inventors additional protection against fraudulent imitators. The dues payable by inventors for patents were reduced under the Budget of 1892.

*Companies Acts*, 1890.—This Act strengthens the law against the fraudulent promoters of bogus companies.

*Bankruptcy Act*, 1890.—To give greater protection to *bond fide* creditors, and to facilitate the winding-up of bankrupt estates.

*Deeds of Arrangement Acts*, 1887 and 1891.—To protect the public by requiring the registration of deeds of arrangement.

(b.) ADMINISTRATION.

*Markets and Tolls*.—A complete investigation of the market system of the country was made by a Royal Commission, over which Lord Derby presided.

*Railways*.—An exhaustive inquiry was held by the Board of Trade under the Railway and Canal Traffic Act of 1888, and revised classifications of traffic and schedules of railway rates were carried into law, with the effect of preventing future increase of rates, and of making many important reductions. Orders were made under the Acts of 1889 requiring all railways to adopt the block system, continuous brakes, and interlocking points and signals within a limited time.

*Electric Lighting*.—Numerous orders were sanctioned to provide for electric lighting in many large towns, and a great stimulus was given to this enterprise.

## CHAPTER V.

### SCOTLAND AND THE UNIONIST GOVERNMENT.

THE important changes which the late Unionist Government were instrumental in effecting in Scottish education—primary, technical, and university—are explained in the chapter on “Education.” A number of measures of which some account is given in the chapter upon the general legislative and administrative policy of that Government apply to Scotland, and Scotland shared equally with England the benefits of their successful foreign and colonial policy, and of the provisions which they made for strengthening the defences of the Empire. There are, however, besides the matters enumerated, a number of benefits distinctively Scottish which were received at the hands of the late Government.

*Local Government (Scotland) Act, 1889.*—This Act conferred upon the popular electorate in counties the right long enjoyed by those in towns of managing local and municipal matters through a representative Council. Most of the powers possessed by the Commissioners of Supply were transferred to these new bodies, and also other powers exercised under different statutes by non-representative boards. Largely increased grants were made from imperial funds in relief of local taxation, and much more adequate provision has been made for the administration of sanitary law. The details of this measure are so generally known to those interested in them, and are so accessible in many different forms, that it is unnecessary here to explain them. It may be pointed out, however, that the late Government proposed as a complement to their scheme of local government to reform the parochial boards. As the poor rate is paid equally one-half by owners and one-half by occupiers, the proposal was that one-half of the members of the parochial board should be elected by the owners and one-half by the occupiers. This measure had, however, to be abandoned owing to Radical opposition.

*Criminal Procedure (Scotland) Act, 1887.*—This Act effected an immense reform in the machinery of criminal law. It simplified procedure in many ways, abolished a great number of useless technicalities and unnecessary formalities, largely diminished the expense of criminal administration, reformed the law

of bail in accordance with modern ideas and requirements, and secured prisoners against long detention without trial.

*Crofters (Scotland) Act, 1887.*—This Act enabled crofters, who had applied to the Commission to fix a fair rent, to have any steps which might have been taken to evict them from their holdings for non-payment of rent stayed until the Commission had adjudicated upon their rent and arrears.

*Fishings.*—An account of the important work legislative and administrative in the interests of fishermen will be found in Chapter VII. One Act which applies to Scotland alone may here be mentioned—

*Herring Fishery (Scotland) Act, 1889.*—An account of the Act and other fishery legislation, most of which affects Scotland, will be found in the chapter on Seamen and Fishermen (Chapter VII.).

*Elections (Scotland) (Corrupt and Illegal Practices) Act.*—This Act made municipal elections subject to the same salutary provisions to secure purity and repress all undue influence, as have for some time been in force in regard to Parliamentary elections.

*Police (Scotland) Act, 1890.*—This Act improved the conditions of the police service, and conferred upon policemen after long service, or disablement received in service, the right to pensions on retirement.

*Highlands and Islands.*—A Commission appointed by the late Government investigated the condition of the West Highland and Island coast population, and made a number of suggestions with a view to the expenditure of funds for the improvement of their condition. Steps were taken to relieve the congestion of population by the grant of assistance to emigration from the distressed districts. Plans were settled for the construction of railways in the remote Highland valleys. Improved steam communication was provided on the west coast and to Shetland. Extensive grants were made for the improvement of roads, and for small harbours, piers, and breakwaters. The telegraphic system was largely extended in the Western Highlands and Islands.

*Private Bill Legislation.*—This measure cannot be added to the list of the legislative achievements of the late Government, owing to the opposition it met with from Radical members. A Parliamentary Committee made an exhaustive examination of the question, and following upon their recommendations, the late Government in more than one session submitted to Parliament a measure which would have terminated the anomaly which requires Scottish promoters and opponents of private Bills to incur the hardship and expense of going to London for the transaction of business which could be carried through quite as well in Scotland. Under the proposals of the late Government all evidence in such cases would have been led before a tribunal

sitting in Scotland for the purpose, and this tribunal would also have adjudicated upon the matters submitted to them, subject always in the last resource to Parliamentary control. But notwithstanding their loud professions in favour of seeing local matters managed locally, the Radical party so persistently opposed this measure that it was found impossible to carry it through in the time at the disposal of the Government.

#### MR. GOSCHEN'S GRANTS FROM IMPERIAL FUNDS.

Three grants in all from imperial funds in aid of local purposes in Scotland were made by the late Government.

*The Probate Duty and Licences Grants.*—In 1888 one-half of the probate duty was devoted by Parliament in relief of local taxation. This sum was divided in proportion to the respective contributions of the three countries to the duty, and the result was that <sup>1</sup>—

England got . . . . .	80
Scotland „ . . . . .	100
Ireland „ . . . . .	11
	100
	9
	100

To this sum fell to be added the amount of duties collected in Scotland from licences, which by the Local Government (Scotland) Act, 1889, were also assigned for local purposes in Scotland.

The sum available for Scotland under these provisions was estimated at £234,000 from Probate and £323,500 from licences—total £557,500, which was apportioned as follows: <sup>2</sup>—

Highlands and Islands in relief of rates . . .	£10,000
Road authorities . . . . .	35,000
Police authorities . . . . .	155,000
Parochial Boards for medical relief and nurses . . .	20,000
Do. for pauper lunatics . . . . .	90,500
Relief of school fees . . . . .	247,000
	<hr/>
	£557,500

The total amounts of the grants in the year 1886–87, when Mr. Goschen first undertook the control of the national finances, was £289,000. Deducting this from the £557,500 assigned under the legislation of 1889, and it appears that the total increase for which up to that date Mr. Goschen had provided the money was £268,500. This is on the assumption that the estimates of revenue from these sources were not exceeded. The estimates, however, have been largely exceeded in the return from probate, licences, and excise duties, so that the sum available is much in excess of what is here stated.

<sup>1</sup> 51 & 52 Vict. c. 60.

<sup>2</sup> 52 & 53 Vict. c. 50, s. 22.



*Customs and Excise Grant, 1890.*<sup>1</sup>—In 1890 certain Customs and Excise duties on spirits and beer were allocated to the local taxation account. The amount available for Scotland was in round figures £143,000. This sum was apportioned as follows:—

Police superannuation . . . . .	£40,000
To complete the relief of school fees . . . . .	40,000
Medical officers and sanitary inspectors . . . . .	15,000
The residue to local authorities either for technical education or the relief of the rates, in the discretion of the local authorities. The amount of this residue is rather more than . . . . .	48,000
<b>Total . . . . .</b>	<b>£143,000</b>

*Equivalent Grant.*—In 1891 provision was made out of the surplus for free education for England. Scotland had already got free education with funds the English share of which had been devoted to the relief of local taxation. Accordingly Scotland was now entitled to a grant which will be equivalent to the English grant for free education. The amount of this grant was estimated at £265,000, which was allocated<sup>2</sup> as follows:—

In relief of rates—

To County Councils, for relief of rates . . . . .	£100,000
Parochial Boards, for relief of rates . . . . .	50,000
Do., for pauper lunatics . . . . .	25,000
Secondary education . . . . .	60,000
Universities . . . . .	30,000
<b>Total . . . . .</b>	<b>£265,000</b>

Any sum beyond £265,000 is to be added to the amount of the fee grant to elementary schools.

*Summary.*—The total amount allocated under these three schemes to local purposes was as follows:—

Probate and licences grant of 1889 . . . . .	£557,500
Customs and Excise grant, 1890 . . . . .	143,000
Equivalent grant, 1892 . . . . .	265,000
<b>Total . . . . .</b>	<b>£965,500</b>
Deducting the amount given in 1886–87 for grants in aid now withdrawn . . . . .	289,000
<b>Total additional funds provided by Mr. Goschen for local purposes in Scotland . . . . .</b>	<b>£676,500</b>

<sup>1</sup> 53 & 54 Vict. cc. 8 and 60.

<sup>2</sup> 55 & 56 Vict. c. 51.

In the result, however, the grants will be much in excess of the estimates. In his last Budget statement, Mr. Goschen was able to indicate the general result so far as regards Scotland (1892) as follows :—

Probate . . . . .	£308,880
Licences . . . . .	372,900
	<hr/>
	£681,780
Customs and Excise grant . . . . .	154,000
Equivalent grant . . . . .	265,000
	<hr/>
	£1,100,780
Deduct as above . . . . .	289,000
	<hr/>
Actual total of Mr. Goschen's new grants .	£811,780

It will be observed that, with the exception of the Customs and Excise grant from increased duties on liquor, this large sum was provided for local purposes without additional taxation. Provision was also made for the payment of compensation from imperial funds for cattle slaughtered as a precaution against the spread of disease.

## CHAPTER VI.

### WHAT THE CONSERVATIVE AND UNIONIST PARTY HAVE DONE FOR AGRICULTURAL LABOURERS.

VERY persistent efforts are now being made to persuade the agricultural labourers of England and Scotland that the Radical party is their only friend. Nothing could be farther from the truth. It is, no doubt, the case that it is only of late years that the ploughmen have come into political prominence, but it can be shown that the Conservatives have taken an old, a more intelligent, and a more effective interest in their real welfare than the politicians who now court their votes with proposals always made at the expense of other people.

*Allotments.*—The promotion of allotments, of which we have heard so much of late years, is really the resurrection of the old policy of the Conservative party. The first origin of the English allotment system can be traced back to the year 1770, when a lord of a manor near Tewkesbury, observing that the occupants of certain cottages provided with a little land were marked by superior comfort and respectability, set apart twenty-five acres for the use of the poor. In 1795, under the Tory Government of Mr. Pitt, a Select Committee of the House of Commons reported favourably on the system, and in the following year a society set on foot by Mr. Wilberforce, the supporter of Mr. Pitt, for bettering the condition of the poor was formed, of which King George III. was patron, and of which one of the objects was to provide "allotments of land to the labouring population." In 1819 and in 1831, Acts of Parliament<sup>1</sup> were passed to promote the system. Societies were formed at various times for the same purpose, one of them, the Labourers' Friend Society, having more especially for its object the obtaining of a small portion of land for the labourer "at a moderate rent in addition to the fair price of his labour." In 1802, and again under Sir Robert Peel's Conservative Government in 1845, provisions were made to secure the provision of allotments in enclosures of common lands, and Bills introduced on the subject in 1844 and 1845 were supported by the Government, but failed to pass. A Commission, appointed under the Conservative

<sup>1</sup> 59 Geo. III. c. 12 ; 1 & 2 Will. IV. c. 59.

Government of 1867, to inquire into the employment of children, young persons, and women in agriculture, reported in favour of a more general adoption of the system. In 1876<sup>1</sup> Lord Beaconsfield's Government, in passing the Commons Enclosure Act of that year, which made provision for the regulation as well as for the enclosure of commons, prescribed many conditions for the benefit of the neighbourhood, guarded the progress of enclosures in the public interest, enacted important provisions, and gave increased facilities for securing allotments for field-gardens. Much was also done by the voluntary action of land-owners, and in 1873 the number of allotments in the country was returned as 246,000. In 1882 an Allotments Extension Act was passed under Mr. Gladstone's Government, and in 1885 the question was made much of by a section of his supporters at the General Election. But although he turned out Lord Salisbury's Government on an amendment to the Address upon this question in 1886, no steps were taken by his Government to carry out their pledges, and it was left once more to the Conservatives to deal with it in 1887. The subject had been considered by the Royal Commission on Agriculture appointed by Lord Beaconsfield's Government in 1879, and also by that upon the Housing of the Working Classes in 1885, which owed its appointment to Lord Salisbury. The Land and Glebe Owners' Association for the Voluntary Extension of Allotments, containing in 1886, 248 members, had also been formed, and had done much to promote the development of the system. In 1886 the number of allotments had increased to 357,795.

The Allotments Act of 1887<sup>2</sup> contains the following provisions, and it is noticeable that it provides for purchase or hire by the local sanitary authority for the purposes of the Act, and, if necessary, for the exercise by the County Council of compulsory powers.

*Sect. 2.* Any six electors in either urban or rural districts may apply to the sanitary authority, and this authority "shall by purchase or hire acquire any suitable land adequate to provide a sufficient number of allotments, and shall let such allotments to persons belonging to the labouring population desiring to take the same."

*Sect. 3.* "Where the sanitary authority are unable to acquire suitable lands by hiring or purchase by agreement, . . . the county authority (*i.e.*, the County Council) may make a provisional order authorising . . . the purchase and taking of land compulsorily." This order must be confirmed by the Local Government Board and by Parliament.

*Sect. 5.* "The sanitary authority may improve any land and adapt the same for letting in allotments."

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<sup>1</sup> 39 & 40 Vict. c. 56.

<sup>2</sup> 50 & 51 Vict. c. 48.

*Sect. 6.* "The sanitary authority may make regulations for letting allotments."

*Sect. 7.* "The rents of the allotments shall be fixed at an amount not less than such as may reasonably be expected to ensure the sanitary authority from loss."

Allotments may extend to one acre.

*Sect. 9.* "Any number not less than one-sixth of the electors in a rural district" may petition for the election of allotment managers. "The sanitary authority shall order such election," and all "the Parliamentary electors shall be entitled to vote."

*Sect. 10.* "All expenses incurred by the sanitary authority under this Act shall be defrayed as part of the general expenses of their execution of the Public Health Act, 1875."

*Sect. 12.* "The county authority may authorise" the acquisition of "pasture land" in the same way as "allotments," to be similarly applied for the benefit of the "labouring population."

Mr. Jesse Collings, whose name had been long associated with the question, thus expressed his satisfaction on August 11, 1887:—

"I congratulate the Government, and I think the country will recognise their efforts in regard to two particular points of difficulty—namely, the compulsory acquisition of land, and the local authority for administrative purposes. It is a new idea—it was not intended at first—that Town Councils in large boroughs should have the advantage of allotments, but the Government have placed that in front, and given it into the hands of the Town Councils, who, I believe, will use the powers of this Bill very largely. They have also put into the Bill that as soon as 'rural municipalities' are established—which cannot be more than another twelve months ahead—these should be the authority in rural districts. In conclusion, I express my gratitude to the Government for bringing in this most useful and practical measure."

The Act of 1887 has since been extended by a measure in 1890,<sup>1</sup> which gives a right of appeal to the County Council where it is thought that the local sanitary authority are remiss in their duty under the principal Act, empowers the County Council to exercise the powers of the local authority, and affords further facilities for their practical working. In 1887<sup>2</sup> Sir E. Birkbeck, a Conservative member, carried through a Bill giving compensation to allotment holders for crops left in the ground at the end of their tenancies. In 1888<sup>3</sup> the Government carried through a measure—the Glebe Lands Act, 1888—authorising the sale of Church lands, and providing facilities for their acquisition by local authorities for allotments; and in

<sup>1</sup> 53 & 54 Vict. c. 65.

<sup>2</sup> 50 & 51 Vict. c. 26.

<sup>3</sup> 51 & 52 Vict. c. 20.

1891<sup>1</sup> another Conservative member procured the reduction of the sanitary rates on allotments to the same scale as those on market gardens. In 1892 an Act amending the Labourers (Ireland) Acts, "for the purpose of providing increased allotments," was put on the statute-book. The result of the measure of 1887, and of the voluntary action of landowners, stimulated as it has no doubt been by the passage of the Act, is shown by the latest returns. Allotments have increased in number from 246,000 in 1873, and 357,000 in 1886, to 455,000 in 1890.

Much was made by Gladstonian speakers of a return<sup>2</sup> obtained by Mr. Channing, showing the acreage acquired by rural sanitary authorities and County Councils under the Acts of 1887 and 1890, which showed that only 1207 acres let to 2891 tenants were so acquired. But they ignored the conspicuous proof afforded in the return, that their allegations against the landowners were unfounded, and that there was no general necessity for compulsion. No less than 518 rural sanitary authorities gave as their reasons for not purchasing land under the Acts, either that the landowners had voluntarily provided for the wants of the labourers, or that no application had been made for purchase. The Committee of the Rural Labourers' League in 1892 reported that they had found "the Allotments Act of 1890 extremely valuable," and that its working had been "most beneficial."

*The Scottish Allotments Act, 1892.*—In 1892 the policy carried out in England was completed by an Act<sup>3</sup> passed for Scotland. In its general lines it follows the English Act. It can be set in motion by six electors or ratepayers; and the powers of acquiring land, if necessary by compulsion, are conferred upon the local authority of a county or burgh. Careful regulations are made as to the letting of the allotments, and the conditions on which they are held, and power is also given to make a scheme for the provision of common pasture.

The total number of agricultural labourers in Great Britain, according to the census of 1881, was 899,401, of whom 91,801 were Scottish, and 40,896 Welsh. In 1886, 272,567 had garden allotments attached to cottages, and 111,146 had ground for potatoes. These are not dealt with in the return of 1890, which gives the number holding allotments detached from cottages as 455,005, of which 6419 are in Scotland.<sup>4</sup>

*Housing of Agricultural Labourers.*—We have already seen that by the Housing of the Working Classes Act, 1885, rural authorities are vested with the same powers as those of cities for improving the condition of labourers' dwellings, with due

<sup>1</sup> 54 & 55 Vict. c. 33.

<sup>2</sup> Dated 20th June 1892.

<sup>3</sup> 55 & 56 Vict. c. 54.

<sup>4</sup> For this and the number of small holdings see Parliamentary Return, No. C. 6144, of Session 1890.

regard to the circumstances of the country districts. The passing of the Local Government Acts of 1888 and 1889 by the Conservative Government, and the institution of County Councils with full powers to enforce the provisions of the Public Health Acts, and important duties in reference to sanitary matters prescribed to them, has provided the necessary machinery for the improvement of house accommodation. It should also be noted that some of the Scottish Entail Acts passed by Conservative Governments have contained special provisions directed to secure the erection of substantial and healthy labourers' cottages.

*Small Holdings.*—If allotments are specially attractive to all country labourers, the prospect of acquiring a small holding on which he can settle down is equally so to the thrifty ploughman. Lord Salisbury's Government secured the appointment of a Select Committee of the House of Commons to inquire into this subject, which reported in favour of legislative enactment, and a reasonable advance of public money to promote the provision of small holdings.

In 1892, Mr. Chaplin, as Minister of Agriculture, carried through the Act<sup>1</sup> for the provision of Small Holdings throughout Great Britain. It enables County Councils, if satisfied that there is a demand for small holdings in their county, to acquire land for the purpose of providing holdings not exceeding fifty acres (or, if larger, not exceeding £50 annual value). They are not entitled to take it under compulsory powers, but have power, where the land has a prospective value, and the price is high, to take it on lease. The object of the Act is that the County Council should sell the holdings to persons who will themselves cultivate; but in case of holdings not above fifteen acres (or, if larger, £15 annual value) they may lease them. The County Councils are bound to appoint a committee to consider whether the Act should be put into operation, and any county elector or electors may petition to that effect, when an inquiry must be made. When a holding is sold, one-fifth of the price must be paid down, a portion not exceeding one-fourth may be made a perpetual (but redeemable) rent-charge, and the remainder is charged on the holding, and repayable by half-yearly instalments within fifty years, or repayable by a terminable annuity within a similar period. Every holding is for twenty years, and, till the purchase-money is repaid, is held under conditions that—

1. The instalments be duly paid;
2. The holding cannot be divided, assigned, or sub-let without the consent of the County Council;

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<sup>1</sup> 55 & 56 Vict. c. 31.



3. It must be cultivated by the occupier, and not used for any purpose but agriculture ;
4. Not more than one dwelling-house shall be erected ;
5. Any dwelling-house built must comply with health regulations ;
6. No building on it shall be used for the sale of liquor ;
7. Where it is thought no dwelling-house should be erected, this shall not be done without the consent of the County Council.

The Act contains a number of other provisions, and, in particular, it gives power to a County Council to advance the purchase-money to a tenant who has agreed with his landlord for the purchase of his holding. It thus contemplates two objects—(1) the gradual establishment of a small proprietary, and (2) the giving of facilities to industrious men to become tenants of fifteen-acre or lesser holdings. It therefore offers a ladder to the ploughman, enabling him first to rise to the tenancy of the small farms, the numbers of which will be increased, and secondly, to advance from that to the position of a small proprietor.

It is interesting to note that before the passing of this Act the number of small holdings in Great Britain had increased from 389,941 in 1875, and 392,203 in 1885, to 409,422 in 1889.

*General.*—Farm labourers, in common with other working men, have benefited by the Conservative legislation, which has vindicated the right of free combination, fostered friendly and benefit societies, and promoted the general progress of the working classes. To no class has the gift of free education been a greater boon, all the more as it has been conferred without requiring any sacrifice on their part of the inherited right to the free ministrations of religion in their parish church.

## CHAPTER VII.

### WHAT THE CONSERVATIVE AND UNIONIST PARTY HAVE DONE FOR SEAMEN AND FISHERMEN.

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#### I.—SEAMEN.

*The Merchant Shipping Acts.*—The older laws relating to our merchant navy and the sailors who man it were amended and consolidated in the Merchant Shipping Act of 1854. Twenty years later the circumstances of our seamen, and the loss of life that was traceable to the sending of ships to sea in an unseaworthy condition, required legislative interference. The leading part in directing attention to these evils was taken by Mr. Samuel Plimsoll, M.P., and in 1875 Lord Beaconsfield's Conservative Government introduced and carried through Parliament a temporary measure giving further powers to the Board of Trade for stopping unseaworthy ships leaving British ports. In the following year the temporary Act was repealed, and the Merchant Shipping Act, 1876, was passed.<sup>1</sup>

The sending of an unseaworthy ship to sea was made a misdemeanour. It was enacted that it should be an implied obligation in every contract of service between the owner of a ship and the master or any seaman, that all reasonable means should be used to ensure the seaworthiness of the ship. Large powers were given to the Board of Trade to detain unsafe ships, and provision was made for the appointment of detaining officers at ports, and for courts of survey for appeals. Provisions were also made for detaining foreign ships rendered unsafe by overloading or improper loading at a British port, and the existing regulations as to sea-going passenger ships and emigrant ships were amended, a proper supply of signals of distress, inextinguishable lights, and life-buoys being enforced. Precautions were provided against the shifting of grain cargoes, and important regulations were made directed to discourage deck cargoes, and prohibiting carrying deck-loads of timber in winter. The distinct marking of deck and load-lines was enforced, and the obliterating or submerging of these lines by overloading was prohibited under a substantial penalty. Wreck Commissioners

<sup>1</sup> 39 & 40 Vict. c. 80.

were appointed to investigate into shipping casualties, and registration of the name of the managing owner or ship's husband of every registered British ship was enjoined under a severe penalty upon each owner.

From 1876 to 1890, 701 ships were detained under the provisions of this Act as unsafe on account of defects in the hull or equipment, and 562 for faults in loading. Only 16 out of the whole 1263 were found on examination to be safe. We can thus form some idea of the lives that have been saved by this truly Conservative legislation.

Two unimportant Acts were passed under Mr. Gladstone's Government in 1880 and 1882, and another providing for the safe carriage of grain cargoes (1880).<sup>1</sup>

Under Lord Salisbury's Administration further measures have been passed directed to promote the safety of life at sea. In 1887 the Merchant Shipping Acts<sup>2</sup> were amended in some small particulars. In 1888 (by the Merchant Shipping Life Saving Appliances Act)<sup>3</sup> it was enacted that "it shall be the duty" of the owner and master of every British ship to see that it is provided with such boats, life-jackets, and other appliances for saving life at sea, as having regard to the nature of the service on which the ship is employed, and the avoidance of undue encumbrance of the ship's deck, are best adapted for securing the safety of her crew and passengers. Provision was made for appointing a consultative committee to frame rules under the Act, and penalties were imposed for failure to provide or maintain in good condition, or keep at all times fit and ready for use, the appliances required under these rules.

By the Lloyd's Signal Stations Act<sup>4</sup> of the same year, large powers were given "for the purpose of assisting in the preservation of life, and in the interests of trade and navigation" to "the Society and Corporation incorporated under the name of Lloyd's," to acquire—compulsorily, if necessary—land for signal stations and signal houses, and to arrange for telegraphic communication with them, round the British coasts. By the Customs Law Amendment Act of 1887,<sup>5</sup> seamen were protected against arbitrary imprisonment for contraventions of the Custom laws for which they were not personally responsible.

In 1889<sup>6</sup> the law as to the measurement of tonnage of merchant ships was amended, the proper colours to be shown by British merchant vessels were prescribed, an important measure was placed on the statute-book dealing with pilotage, and imposing a penalty on the employment of unqualified pilots, and an Act was passed providing for the recovery of

<sup>1</sup> 43 & 44 Vict. c. 43.

<sup>2</sup> 50 & 51 Vict. c. 62.

<sup>3</sup> 51 & 52 Vict. c. 24.

<sup>4</sup> 51 & 52 Vict. c. 29.

<sup>5</sup> 50 & 51 Vict. c. 7.

<sup>6</sup> 52 & 53 Vict. c. 42; c. 68; c. 73; c. 46.

disbursements properly made by the master of a ship, and imposing restrictions on advance-notes by providing that a month's wages should be the limit of advance conditionally on going to sea, and that any agreement for payment conditionally on going to sea beyond that limit should be void, that no money so paid should be set off or deducted from the seamen's wages, and that no action should lie against the seaman or his assignee in respect of any money so paid or purporting to have been so paid.

In 1890<sup>1</sup> the provisions of the Act of 1876 as to load-line were amended, by substituting the words "shall indicate the maximum load-line in salt water to which it shall be *lawful* to load the ship," for the words "shall indicate the maximum load-line in salt water to which *the owner intends* to load the ship for that voyage." The position of the mark was also ordered to be fixed in accordance with the tables framed by the Load-line Committee, and provisions were made for supervision by a committee, and regulations by the Board of Trade. Steps were taken without delay by the Government to carry out this Act, and a consultative committee was appointed representing the different interests to frame rules for compelling the adoption of improved appliances for saving life at sea.

In 1892 an Act<sup>2</sup> further amending the Merchant Shipping Act was passed. It enacted that ships with submerged load-lines should be deemed "unsafe," and such submersion reasonable and probable cause for the detention of the ship; imposed a penalty up to £100 on persons not complying with the Board of Trade Regulations as to certificates of the draught of water, &c., of a ship; and provided for the inspection of the provisions and water of the crews of ships going through the Suez Canal, or round the Cape of Good Hope or Cape Horn.

The importance of this shipping legislation, even regarded from the point of view of those who man our ships alone, and without reference to the enormous influence our shipping interest has on the general trade and prosperity of the country, may be estimated from the fact that the tonnage of British and foreign vessels entered and cleared with cargoes and in ballast in 1892 was 75,867,000 tons, of which 54,373,000 were British. It is also interesting to note that the increase was 13,026,000 tons in the period from 1886 to 1892, and that the British vessels registered under the Merchant Shipping Acts increased during the same period by 1,282,000 tons, and the number of persons employed thereon by 34,000 (between 1886 and 1890).

At the Annual Conference of the Amalgamated Sailors and Firemen's Union, opened in London on October 5, 1891, the opening address was delivered by Mr. Samuel Plimsoll (Gladstonian), formerly M.P. for Derby, whose self-sacrificing efforts

<sup>1</sup> 53 Vict. c. 8.

<sup>2</sup> 55 & 56 Vict. c. 37.

during many years in the cause of our seafaring population are universally acknowledged.

He concluded his address with the following remarkable words:—

“I cannot conclude this address without again expressing my thanks to Her Majesty’s Ministers for the sympathy and aid which they have given to me and to seamen at all times. . . . I think that if Her Majesty’s present Ministers retain power, we are on the high road to a state of things which should remove from us the deep national reproach which at present attaches to us from our neglect of our fellow-subjects at sea. For my own part, therefore, although I am a Radical, and although I recognise with gratitude all the good which the Liberal party has done for the nation, I dread more than I can say any change in the position of political parties, as I feel sure that the fair hopes which we now indulge in on behalf of the seamen will have to be abandoned if we lose the present Government; and I *earnestly recommend seamen, and all other working men who care for sailors’ wives and sailors’ children, to do their very best at the next general election to keep the Conservatives in power.*”

Mr. Plimsoll had already in the House of Commons, on 14th May 1873, used these words, which subsequent experience has amply verified:—

“I am a Liberal of the Liberals. I have supported Liberal measures ever since I came into this House, but it has been borne into my mind that *the interests of the working classes, when at issue between themselves and capitalists, are safer with the Conservatives than the Liberals.* I suppose the working classes of the country will not be slow in arriving at that conclusion, which has been forced upon my mind.”

## II.—FISHERMEN.

The claims and condition of the industrious portion of the population engaged in the fishing industry have not been forgotten by Conservative statesmen. Several measures of value to them have been placed upon the statute-book under Lord Salisbury’s Administration. Of these, perhaps the most interesting to fishermen is the Herring Fishery Scotland Act, 1889,<sup>1</sup> which was introduced by Colonel Malcolm, Conservative member for Argyleshire. It prescribes a legal measure for use in the Scottish fresh herring trade. It provides a close time during daylight from 1st June to 1st October, and on Sundays, on the west coast of Scotland; absolutely prohibits beam or otter trawling within three miles of low water mark of any

<sup>1</sup> 52 & 53 Vict. c. 23.

part of the coast of Scotland and other scheduled waters, and gives power to the Fishery Board further to prohibit it in any area within a line from Duncansby Head in Caithness to Rattray Point in Aberdeenshire. The sale in Scotland of fish illegally caught was also prohibited. This measure simply carried further the policy already adopted in the Scottish Sea Fisheries Act of 1885,<sup>1</sup> passed under the short-lived Conservative Government of that year, which gave power to the Fishery Board to prohibit or regulate within defined areas any mode of fishing injurious, or believed to be injurious. It is also noteworthy that of the three previous leading statutes regulating the Scottish sea fisheries—the Acts of 1868, 1875, and 1883<sup>2</sup>—two were passed under Conservative Governments.

In 1887 the Fishing Boat Act<sup>3</sup> was passed amending the provisions of the Merchant Shipping Fishing Boat Act of 1883.<sup>4</sup> This Act improves the position of skippers, and secures the employment of adequate crews. The general provisions of these Acts do not apply to Scotland, with the exception of a special enactment in the Act of 1887, providing for an inquiry or formal investigation being held by the Board of Trade, whenever loss of life arises by reason of any casualty happening to or on board any boat belonging to a fishing vessel.

In 1888 an important measure—the North Seas Fishery Act, 1888<sup>5</sup>—was passed, confirming a convention with foreign powers for prohibiting the supply of spirituous liquors to the fishermen on boats engaged in the North Sea fisheries, regulating the supply of provisions and other articles for their use, and putting down the system of giving these in exchange for articles such as fishing implements, boat equipment, or products of the fisheries. By the Sea Fisheries Act of 1888,<sup>6</sup> which applies to England and Wales, local tribunals were appointed with power to settle disputes, fix close times, and, under confirmation by the Board of Trade, to generally regulate the fishing industry. In the same year, the Irish Fishery Acts were also amended,<sup>7</sup> and in 1889<sup>8</sup> the Inspectors of Irish Fisheries were empowered to prohibit steam trawling within a certain distance of the coast of Ireland. In 1892<sup>9</sup> an Act was passed amending the Salmon and Fresh-water Fisheries Acts applicable to England.

In 1890,<sup>10</sup> the Scottish Act was amended by a short statute, which raised the penalty for illegal trawling from a fine not exceeding £5 for the first and £20 for a subsequent offence, with forfeiture of the net, to a fine not exceeding £100, and failing immediate payment, to imprisonment for a period not

<sup>1</sup> 48 & 49 Vict. c. 70.

<sup>2</sup> 31 & 32 Vict. c. 45; 38 Vict. c. 15; 46 & 47 Vict. c. 22.

<sup>3</sup> 50 Vict. c. 4.

<sup>4</sup> 46 & 47 Vict. c. 41.

<sup>5</sup> 51 & 52 Vict. c. 18.

<sup>6</sup> 51 & 52 Vict. c. 54.

<sup>7</sup> 51 & 52 Vict. c. 30.

<sup>8</sup> 52 & 53 Vict. c. 74.

<sup>9</sup> 55 & 56 Vict. c. 50.

<sup>10</sup> 53 Vict. c. 10.



exceeding sixty days (without prejudice to ordinary diligence where no imprisonment follows a conviction), coupled also with forfeiture of the net.

In 1891, another Act—the Fisheries Act, 1891<sup>1</sup>—was passed, for carrying into effect an international declaration made by the British and Belgian Governments for the settlement of differences between their fishermen, and reducing as much as possible the injuries they may sustain from the fouling of their fishing-gear.

In three successive sessions, 1890, 1891, and 1892, the Unionist Government endeavoured to deal with the question of the reconstitution of the Fishery Board. Their measures passed through the House of Lords, but owing to Radical obstruction and the pressure of business, could not be got through the House of Commons. By the Bill of 1892, it was proposed to constitute five fishery districts in Scotland, each of which was to return one member to the Central Fishery Board, which was to consist of ten members. Power was to be given to the District Committees to form sub-committees, and for the acquisition under the Lands' Clauses Act and the administration of mussel-beds, and provision was to be made for the voting by Parliament of the sums necessary to defray the expenses. This grant was fixed at £1000 for 1893, and for each year thereafter was to be such sum as the Secretary for Scotland should determine with consent of the Treasury. It was unlimited in amount, and could be increased to meet the needs of the industry. The personal and travelling expenses of the members of the Fishery Board were to be defrayed from moneys to be voted by Parliament. Other sums required, being merely the expenses of management of the District Fishery Committees, were to be raised by the local authorities as part of the general purposes rate. But no power was given to rate the inland farmer or crofter to find bait for the coast fisherman. The assistance given to him was to be paid for by the nation as a whole. A resolution was moved in the House of Commons, on 8th March 1892, by Mr. Marjoribanks, "That a large representative element should be introduced into the Scottish Fishery Boards; that a sufficient number of District Fishery Commissioners should be instituted to take charge of local fishery interests on the coasts of Scotland; that proof should be required of the titles under which Scottish mussel scalps are claimed and held; that power should be given to District Fishery Committees in Scotland to regulate, acquire, and work mussel scalps within their several districts; and that the regulations from time to time made in the interests of the various classes of fishermen working in Scottish seas should be enforced by an effective system of sea police."

<sup>1</sup> 54 & 55 Vict. c. 37.



Mr. Anstruther (L.U.) had moved the addition of an amendment providing that powers should be granted by the Commissioners of Woods and Forests to the District Fishery Committees to issue licences to fishermen to fish for salmon in suitable parts of the coast of Scotland.

Mr. A. Balfour, on behalf of the Government, accepted both the motion and the amendment, and explained that the Secretary for Scotland had in draft, ready for presentation to the House whenever there was a reasonable prospect of its being dealt with, a Bill covering the points named in the motion, and dealing even more effectively with the question of mussel-beds, for it proposed to give the Government the power of compulsory purchase under the provisions of the Lands' Clauses Acts.

The Bill then promised, of which the leading provisions have been mentioned, having passed the Lords, came on for second reading in the House of Commons on 21st June 1892, when it was objected to by Dr. Clark. Mr. Balfour made a strong appeal that it should be allowed to proceed, saying—"In every statement I have made in regard to public business, I have mentioned this Fishery Board Bill for Scotland as one of those we greatly desired to pass, and which we had every reason to hope would not meet with serious opposition. . . . The responsibility of preventing the carrying out of these beneficent arrangements in favour of the fishermen of Scotland—not the least deserving class in Scotland—must rest with the honourable member for Caithness and the honourable member for Berwickshire."

Dr. Clark moved a motion for its rejection which stood in the name of Mr. Marjoribanks, the Gladstonian whip, who was absent fighting his own constituency. A division was forced, but the second reading was carried by 59 votes to 27, as was a resolution authorising the payment of the expenses of the local Sea Fishery Boards. Dr. Clark was assisted as teller by Mr. Stephen Williamson, and Mr. Bolton, Mr. Bryce, Dr. Farquharson, and Sir John Kinloch also voted against the Bill. The Bill was put down for Committee on the following night, but was at once objected to by Dr. Hunter, the member for North Aberdeen, and Dr. Clark, who threatened so many amendments that it was quite impossible to carry the Bill further at so late a period of the session, and it had to be withdrawn. With a "light heart" Dr. Clark "accepted the responsibility of killing the Bill."

The measure which was introduced by Mr. Gladstone's Government in 1893 gave, in its original form, a less efficient Fishery Board, stereotyped for all time the money to be voted by Parliament at substantially the sum available in 1892, which is notoriously insufficient, and threw what might be a

heavy burden on the agricultural ratepayers of parishes which have a seaboard. To some extent improved, owing to representations made, it owed its passage through the House of Commons, as Sir George Trevelyan acknowledged, to the "wonderful forbearance" of the Scottish Unionist members; but it was avowedly so imperfect that the Minister in charge put down enough amendments to fill a column of the *Scotsman* when it came on in the House of Lords. That House struck out the rating clause, against which the Town Councils of Aberdeen, Dundee, Leith, and Greenock, and the County Councils of Aberdeenshire and nearly every other county affected had protested, and otherwise amended but passed the Bill. (For further details as to this Bill see Chapter XVII.)

These Acts and endeavours show that Conservative statesmen are ready to give to the claims of fishermen the same patient consideration which has produced such great results for factory workers, miners, and others engaged in different branches of industry. But the Unionist Government did much more. By judicious grants of public money to assist in providing harbours and opening up communication with the southern markets, it did much to develop the fishing resources of our Highland coasts; and by the great measure of 1888,<sup>1</sup> dealing with the large question of railway rates, it gave to fishermen and others full opportunity for ventilating any grievances they may have before those who have power to deal with them, and for securing full facilities for the carriage to market of the produce of their industry. The following is a note of what was done in the matter of harbours and piers alone:—

*Ness Harbour, Island of Lewis.*—Grant of £16,500 towards its completion. This provides a harbour of refuge at the north end of the Lewis, and enables the Lifeboat Institution to place a lifeboat there.

*Carloway, Island of Lewis.*—Grant of £2000 for a pier. This materially assists the development of the fishing on the west coast of the Lewis, Carloway being the centre for this, and having already natural shelter for its harbour. The pier will also render the landing and despatch of fish much more expeditious.

*Gott Bay, Tiree.*—Grant of £8000 towards erection of pier and breakwater. There was no shelter for the fishermen in Tiree. The pier and breakwater will shelter a large area of deep water, and so help to develop both the fishing and the agricultural and other interests of the island.

*Talmin Bay, Sutherlandshire.*—Grant of £3500 for pier and breakwater.

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<sup>1</sup> 51 & 52 Vict. c. 25.

*Uig, Skye.*—Grant of £4000 for steamboat pier.

*Skerry, Sutherlandshire.*—Grant of £3000 for boat harbour.

*Portskerra, Sutherlandshire.*—Grant of £3000 for boat harbour.

*Lighthouses and Beacons.*—Grant of £4500 for various lighthouses and beacons.

The fishermen of Scrabster in Caithness are not likely to forget that it was to their Radical member, Dr. Clark, they owed the loss of the handsome grant which the Government had intended to give for the construction of a harbour.

Two Departmental Commissions were appointed by Lord Salisbury's Government to inquire into Scottish fishery questions. The first conducted an exhaustive inquiry into Crown rights in salmon fishings, and presented a report thereon. The second carried through an inquiry in the interests of fishermen into the white fisheries on the Solway.

## CHAPTER VIII.

### WHAT THE CONSERVATIVE AND UNIONIST PARTY HAVE DONE FOR MINERS.

It is convenient to notice next the legislation in the special interests of those engaged in coal mines, the history of which closely resembles that of the Factory Acts. No class of the community is more persistently told that the Conservatives have been opposed to their progress than the miners. Yet it can be proved beyond question that Conservative statesmen have at all times shown the greatest interest in and sympathy with the miners, and have taken an active and leading share in diminishing the risks of their calling and improving their condition.

It is an interesting historical fact that Scottish miners owed their liberty to Acts of Parliament passed under the Tory Governments of Lord North and Mr. Pitt. By the old law of Scotland, colliers and salters were "bound merely by their entering upon work in a colliery or salt manufactory to the perpetual service thereof." By an Act<sup>1</sup> passed in 1775, when Lord North was Prime Minister, it was provided that they "should be no otherwise bound than as other workmen," and on its being found that this Act was sometimes evaded, another Act<sup>2</sup> was passed under Mr. Pitt, in 1799, by which they were completely "freed from their servitude."

But coming to this century, and dealing with political parties as we know them to-day, we find that it is also true that miners owed the first great measure improving their condition to Conservative statesmen and a Conservative majority in Parliament. Conservative assistance has been freely given since then, and has done much to improve the lot of the miners, and the last great measure of the same kind was passed by the Conservative-Unionist Government of Lord Salisbury.

*The Coal Mines Regulation Act of 1842.*—The first great reform was due to the late Lord Shaftesbury, when as Lord Ashley he was Conservative member for Dorsetshire. By his exertions a Royal Commission was appointed in 1840, which brought to light the hideous system, well described as "startling and horrible," under which boys and girls six years

<sup>1</sup> 15 Geo. III. c. 28.

<sup>2</sup> 39 Geo. III. c. 56.

old were sent into the mines, being employed in dragging corves and carrying baskets of coal, sometimes more than half-naked, and working in darkness for twelve hours a day. In 1842, with Sir Robert Peel's Government in power, and a large Conservative majority in Parliament, an Act<sup>1</sup> was passed which entirely put a stop to the underground employment of females, and of boys under ten years of age, and provided for the appointment of inspectors to secure that it should be fully carried out. Almost the only opposition to this Act came from members of Parliament calling themselves Liberals, and Mr. Gladstone's name is found among those who voted against it, he even opposing the third reading of the Bill. Mr. Stansfield, the Liberal M.P. for Bolton, thought if the provisions of the Bill "were put into operation, the trade in coals would be altogether annihilated." The House of Lords, and especially the bench of Bishops, was strongly in favour of the Bill.

*Prevention of Accidents and Precautions against Dangers.*—In 1849 the first practical steps were taken to establish that system of inspection which has done so much to diminish preventable accidents. The House of Lords led the way by appointing a committee, upon which the names of Conservative noblemen such as the Dukes of Northumberland and Buccleuch were prominent. They took the evidence of the most skilled persons of the day, and as a result of their inquiries the Mines Act of 1850<sup>2</sup> was passed. This Act, imperfect though it was, first gave the Home Office power to appoint inspectors, compelled owners to send notice to the Secretary of State in case of accidents, and provided for a Government inquiry into them. It was opposed principally by Liberal members, and Lord Brougham, the Liberal ex-Chancellor, protested against it as unnecessary and injurious. Five years later general rules were laid down regulating ventilation, security of shafts, signals, &c., defining the powers of inspectors, and giving workmen the right to refuse to work in any mine which was certified to be dangerous.

*Further Securities.*—In 1860 further additional securities were provided, with the support of the Conservative party, for adequate ventilation, the locking of safety-lamps, the fencing of shafts, and allowing the appointment of check-weighmen. In this year an attempt was made by Lord John Manners (subsequently Duke of Rutland), the Conservative member for Leicestershire, to forbid the employment of boys under twelve, but owing chiefly to the opposition of Liberals this reform was postponed. Securities were, however, taken that when boys between ten and twelve were employed, they should attend school at least two days a week.

<sup>1</sup> 5 & 6 Vict. c. 99.

<sup>2</sup> 13 & 14 Vict. c. 100.

*Metalliferous Mines.*—A Royal Commission on metalliferous mines was appointed in 1864, upon which eminent Conservative members sat. On their recommendation the use of ladders for descending the mines was prohibited, stringent rules were made to regulate blasting, and the underground employment of boys under fourteen was forbidden.

*Committee of 1866–67.*—Passing on to 1866–67, we find an important committee of the House of Commons was appointed in which Lord Salisbury (then Lord Cranborne), Mr. F. S. Powell, Sir G. Greenall, and other Conservative members, took part. They reported against the employment underground of boys under twelve, and proposed to limit the hours of those under sixteen, and to enforce attendance at school. They also suggested measures for absolutely suppressing the truck system, increasing the number of inspectors, and providing “free timbering,” for which the miners had previously been obliged to pay. But for the time requisite for the Franchise Act of 1867, and the Irish Church agitation of 1868, Mr. Disraeli’s Conservative Government would have carried an Act containing these reforms.

*Mines Regulation Act of 1872.*<sup>1</sup>—After postponing it during three years in favour of less important measures, Mr. Gladstone’s Government were able, in 1872, to pass a Bill giving effect to some of the recommendations of the committee; and, in so doing they were ably aided by Conservative members, whose invaluable advice and warm sympathy with the interests of the mining population Mr. Bruce, then Home Secretary, handsomely acknowledged. To these Conservative members were due the provisions for daily inspection, constant attendance at the shaft, the examination of managers, and for placing upon owners the responsibility of timbering. They endeavoured to carry a proposal to allow the relatives of miners who had been accidentally killed to be represented at inquests. This reasonable and just demand was supported by Mr. (now Lord) Cross and Sir M. Hicks-Beach, but was defeated. Mr. Gladstone voted against it.

*Royal Commission of 1879.*—In 1879, Lord Beaconsfield’s Government appointed a Royal Commission, upon which sat the most eminent scientific men of the day, and with them were well-known Conservatives like Lord Crawford, Sir George Elliot, Sir W. T. Lewis, and Mr. Lindsay Wood. Their inquiries extended over nearly seven years, and their report forms the basis of the Act of 1887, the most recent as well as the most important of the whole.

*The Act of 1886.*<sup>2</sup>—In the meantime Lord Cross had introduced a Bill in 1886 to enable miners to appoint their own

<sup>1</sup> 55 & 56 Vict. c. 76.

<sup>2</sup> 49 & 50 Vict. c. 40.

check-weighers, and to allow the relatives of deceased miners to be represented at inquests. It was opposed and obstructed by Mr. Broadhurst, an official in Mr. Gladstone's previous Government, but it was carried by the persistent efforts of Lord Cross, supported by numerous Conservative members.

*Mines Regulation Act of 1887.*—One of the first subjects taken in hand by Lord Salisbury's Government in 1887 was the Mines Regulation Bill, to carry out the views of the Royal Commission. It was introduced by the Home Secretary, Mr. Matthews, in the very first days of the session, but it was not until August that the Government were able to pass it into law. They had used every effort to press it forward, even by sacrificing other important business; but their endeavours were not seconded by the Gladstonians, some of whom assumed an attitude which was not far removed from open obstruction.

The Act<sup>1</sup> consolidates the whole law for the protection of the interests of miners. There are a number of entirely new provisions conceived in this direction in the Act. It is impossible to enumerate all these in detail, but the following particulars may be mentioned :—

The Act entirely prohibits the employment of any boy under twelve.

It provides that where wages depend on the amount of mineral gotten, miners shall be paid by the actual weight of minerals gotten by them.

The weights are to be inspected at least once every six months by the Inspector of Weights and Measures, so as to secure that they shall be just and true.

The miners are given power to appoint a check-weigher to take a correct account of the weight of the minerals on their behalf, and most careful provision is made to secure that the check-weigher shall have every facility given to him to enable him to discharge his duties efficiently.

There are important provisions to secure the safety of the men.

Two shafts or outlets with proper apparatus are required communicating with every seam being worked.

The Act provides for every means being taken to secure a proper system of ventilation, and a sufficient supply of pure air, additional precautions being required beyond those previously enjoined.

Increased precautions are provided as regards lamps.

A most careful set of rules has been framed to secure that explosives shall be used for blasting in such a way that as far as possible these operations shall be carried on without danger to miners.

Timber must be provided in the mine at places convenient for the

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<sup>1</sup> 50 & 51 Vict. c. 58.



men, and the distance between the holding-props must not exceed six feet ; in this way the men are enabled amply to protect themselves from unexpected falls.

The engineer for lowering and raising the miners must now be not less than twenty-two years of age instead of eighteen as formerly, and thus the danger of accidents from overwinding due to the inexperience of the engineer is lessened.

No person is to be allowed to work in the face of the working until he has had two years' experience of such working, under the supervision of a skilled workman.

Either the manager or under manager, both of whom must hold certificates, are required to exercise daily personal supervision over the mine ; and in order to secure both practical and scientific knowledge, no person can get a certificate unless he has had five years' practical experience in a mine.

The Government inspector is required to consider how the mine is managed, so that if he is of opinion that the manager of any mine has too much to do, he can call in the owner to remedy the matter ; and if the inspector appointed by the workmen report that there is anything dangerous about the mine, a copy of his report must at once be sent by the mine-owner to the Government inspector.

Notice of accidents causing loss of life or personal injury must at once be given.

Formerly, an employer, agent, or manager could not be prosecuted without the sanction of the Secretary of State, but this Act took away this privilege and placed the master on the same footing as the man.

This Act was described by Mr. Burt, M.P., as "the greatest measure of the kind that had ever yet been passed by the British Parliament ;" and although he considered it was not altogether perfect, he believed "it would do much to protect life and limb, mitigate suffering, and lessen the still enormous and terrible loss of life that occurred in connection with the mining industry."—(At Edinburgh, October 11, 1887.)

These words fitly describe the objects aimed at by Lord Salisbury's Government, and in passing the Act they were only carrying out the traditional policy of the Conservative party.

## CHAPTER IX.

### THE UNIONIST GOVERNMENT AND NATIONAL EDUCATION.

No Government ever did more than did the late Unionist one for the education of the people. Five important measures dealing directly with education were passed into law during their tenure of office:—

THE TECHNICAL SCHOOLS (SCOTLAND) ACT, 1887.  
THE TECHNICAL INSTRUCTION ACT, 1889.  
THE UNIVERSITIES' (SCOTLAND) ACT, 1889.  
THE EDUCATION CODE ACT, 1890; AND  
THE ELEMENTARY EDUCATION ACT, 1891.

Three other Government measures—

THE LOCAL GOVERNMENT (SCOTLAND) ACT, 1889,  
THE LOCAL TAXATION ACT, 1890, AND  
THE EDUCATION AND LOCAL TAXATION ACCOUNT (SCOTLAND) ACT, 1892,

made important financial provisions for the advancement of education.

In passing these measures into law, the Unionist Government followed out what has long been the policy of the Conservative party. That party regarded the English Education Act of 1870 and the Scottish Act of 1872 as in many respects imperfect. But to the policy of making thorough provision for the education of the masses they gave their cordial adhesion, and in the words of Mr. Dixon, the Radical M.P. for Birmingham (July 22, 1870), "The Education Bill owes its success to the almost constant and earnest support which was given to it by the Conservatives." Step by step the Conservative party has removed the anomalies and hardships incident to the provisions of the two measures, and adapted these measures to the needs of the people.

Notwithstanding that Scotland owed her ancient educational system to the National Church, and England almost all the education she possessed to the zeal of the Church of England and of other religious denominations, many members of the Liberal party strove in 1870, 1872, and 1877 to divorce the

education of both countries entirely from religion. In England the voluntary schools were saved mainly by the action of the Conservative party.<sup>1</sup> In the Scottish Bill, as originally introduced, it was proposed to banish religious teaching entirely from all the public schools; and it was the resolute opposition of the Conservative party that awoke the country to the character of the proposal, and compelled the Government seriously to modify their scheme. That the Conservatives did, and the Liberal leaders did not, understand the mind of the people in this matter, is amply evidenced by the fact that the question having been ultimately left open to School Boards to do as they thought best, every School Board throughout Scotland has retained religious teaching as part of the daily exercise in the day-schools.

The measures of 1870 and 1872 were defective in many ways. Education was not made compulsory in England; and there was in England no provision for the payment of fees when the parent was unable to meet them; the employment of young children at work was not regulated to meet the requirements of their education; the system of payment by individual passes was harassing, inequitable, and injurious to higher teaching; no power was conferred upon School Boards to found technical schools; and the burden of school fees was thrown upon many struggling parents who were ill able to bear it. One by one, the Conservative party have corrected these evils by the following series of measures:—

*The Elementary Education Act, 1876.*—This Act made education compulsory throughout England; it prohibited the employment of young children in such a way as to interfere with their education; it regulated the employment of older children in certain cases; and it also provided for the payment of the fees for the children of poor parents not being paupers.

*The Education (Scotland) Act, 1878.*—Among many useful provisions, this Act introduced rules similar to those in the English Act in regard to the employment of young children; gave to School Boards power to acquire compulsorily suitable sites for school buildings; and increased the facilities for the efficient conduct of higher-class schools by School Boards.

*The Technical Schools (Scotland) Act, 1887,<sup>2</sup> and The Technical Instruction Act, 1889.<sup>3</sup>*—These Acts empower School Boards (1) to institute technical schools; and (2) to give technical instruction as a department of existing schools. There can be no doubt that, in view of the increased skill of foreign artificers, the matter is one of great importance to the trade of the country. Instruction in technical subjects is placed within the reach

<sup>1</sup> As to these schools, see Chapter XXVI.

<sup>2</sup> 50 & 51 Vict. c. 64.

<sup>3</sup> 52 & 53 Vict. c. 76.

of scholars by enabling local authorities to establish and encourage technical schools, or central technical classes, or to employ peripatetic teachers. In Scotland, with the funds placed at the disposal of these authorities by the Local Taxation Act, 1890, practical schemes of instruction in the arts and industries of rural and urban life are being placed within the reach of the whole population, and upwards of forty Councils have applied the money to that purpose.

*The Local Government (Scotland) Act, 1889,<sup>1</sup> and The Local Taxation Act, 1890<sup>2</sup> (Free Education).*—Under these Acts payment of fees in the compulsory standards in State-aided schools in Scotland virtually ceased, and now every parent in the country is entitled to have his children educated free of all cost to himself. The money necessary for this great provision—£307,000 in all—thanks to Mr. Goschen's finance, was furnished without laying a new burden upon anybody, and without despoiling the Church or any other ancient institution, which was the Radical suggestion for finding the necessary funds.<sup>3</sup>

*The Elementary Education Act, 1891.<sup>4</sup>*—Free education is brought within the reach of almost every family in England by this measure, which provides a grant of 10s. per head of average attendance in all schools which are willing to accept the grant upon condition that fees for children over 3 and under 15 years of age are abolished where the average fees do not exceed 10s. per head, or reduced by that amount where the average fees are in excess of 10s. per head. Already no fees are charged in two-thirds of the schools of England. The amount of the grant under this head will be fully £2,000,000 per annum, but this has already been provided for without imposing a single new tax. No Government of modern times has conferred a boon so great or so immediate upon the whole working population of the country.

*The Education Code, 1890; The Education Code Act, 1890.<sup>5</sup>*—The system of payment for individual passes proved harsh and inequitable, and injurious to education. It encouraged cram, it discouraged higher teaching, it led to weak and backward children being overpressed, and clever, pushing children being neglected; and it often threw a stigma upon the teacher who had done his best with very bad material. This system was abolished by the Unionist Government by the Code of 1890, and the relative Act. The changes are of the most sweeping character.

<sup>1</sup> 52 & 53 Vict. c. 50.

<sup>2</sup> 53 & 54 Vict. c. 60.

<sup>3</sup> The Gladstonian party claim credit for having suggested free education; but whether this be true or not, there is no doubt that to the Unionist Government belongs the credit of having given practical effect to the proposal by finding the money by which this great boon to the people was made possible. Mr. Chamberlain was the statesman who first gave the subject prominence.

<sup>4</sup> 54 & 55 Vict. c. 56.

<sup>5</sup> 53 & 54 Vict. c. 22.

An entirely new Code was introduced, by which a fixed grant of 13s. 6d. per scholar is secured to each efficient school, thus ensuring financial stability.

This grant cannot be withdrawn unless the school is condemned as inefficient, and a year's grace is allowed to enable shortcomings to be made up.

Payments by individual passes and individual merit were abolished, and the evil effects of "cramming" which they brought about are thereby avoided.

Freedom of classification was established; that is, the teacher is no longer bound by cast-iron rules, but may rapidly advance a child of exceptional capacity, and keep back those who are dull, or labouring under any disadvantage.

Liberty was given in the selection of class subjects, so that the education can be adapted to the special needs of different districts and industries.

Poor schools in small and scattered villages were allowed a special grant of £10 over and above the maximum ordinary limit of 17s. 6d. per head, and in addition to the special grants hitherto made.

Useful arts were encouraged, such as drawing, elementary science, cookery, and laundry work. The attendance at these classes has very largely increased.

Manual instruction and the teaching of agriculture, with practical illustrations, and other useful instruction, were provided for.

Physical training was made part of the school course, including swimming, where facilities for it exist.

The efficiency of teachers was secured by raising the conditions for certificates, and checking the entrance into the profession of those who are imperfectly trained.

Day Training Colleges for Teachers in large towns were established, providing for nearly 400 students.

The inspectors' duties were rendered less mechanical, and greater freedom of action was given them.

Continuation schools were provided for, at which scholars who have passed the fifth standard may utilise their evenings profitably. The attendance at these schools has increased by nearly 50 per cent.

On 31st July 1893, in introducing the educational estimates for 1893-94, Mr Acland, the Gladstonian Minister of Education, said "there had been a steady improvement going on in the quality of education in this country;" and added, "If there was one thing which had tended more than another to bring about this result it was the code of his right hon. friend (Sir W. Hart-Dyke) introduced in 1890, and which presented enormous advantages as compared with the Code which preceded it."

He mentioned that the increase in attendance in 1892 was 120,000, as compared with 32,000 in 1891, and 35,000 in 1890, and said, "They had to go back at least eight years for anything like so large an increase in the attendance of children, and they could not doubt that this attendance was largely due to the Free Education Act of the late Government."

Mr. S. Smith (Gladstonian M.P. for Flintshire) also said on the same occasion "that both in day and evening schools there had been marked improvement in the course of the last few years. Much praise was due to the late Government."

*Education of Blind and Deaf and Dumb Children (Scotland) Act, 1890.*<sup>1</sup>—This measure made ample provision for the suitable education of these afflicted classes of children.

*The Scottish Universities.*—These universities have always been popular institutions, not designed exclusively for any favoured section of the community, but with benefits open to, and largely availed of by, Scotsmen of all classes. But the universities are all ancient foundations, and their constitution and machinery, stereotyped for centuries, had become antiquated and unsuited to the requirements of modern life. By the two great Acts of 1859 and 1889 the Conservative party have breathed fresh life into the university system, adapted university teaching to the needs of the learned professions, and enormously increased the efficiency and usefulness of the universities as centres both of practical training for the work of the world, and of the higher intellectual life of the nation. The reforms have been effected in a broad and liberal spirit, and have given to the graduates of the universities a large share of the control which was formerly vested in one or two privileged hands. The annual Parliamentary grant to the universities was very largely increased. The Commission created by the Act of 1859 did a great work, which commanded universal approval. There is reason to expect that when its labours are completed the Commission at present sitting will be found to have performed not less efficient service for the higher education of the people.

*Secondary Education (Scotland).*—Under the Education and Local Taxation Account (Scotland) Act, 1892,<sup>2</sup> dealing with the equivalent grant, a sum of £60,000 was devoted to the encouragement of Secondary Education in Scotland.

*Royal Commissions.*—Three important Royal Commissions to inquire into educational matters were appointed by the Unionist Government:—

(1.) *Elementary Education.*—A Commission, presided over by Lord Cross, made an exhaustive examination into the operation of the Elementary Education Act of 1870.

<sup>1</sup> 53 & 54 Vict. c. 43.

<sup>2</sup> 55 & 56 Vict. c. 51.

(2.) *Blind, Deaf, and Dumb.*—This Commission was appointed to make a systematic investigation into the various methods of education for these unfortunate classes.

(3.) *London University.*—Another Commission inquired into the desirability of founding a teaching university for London.



## CHAPTER X.]

### UNIONIST FINANCE.<sup>1</sup>

“GOOD finance,” Mr. Gladstone has said, “is an essential of good government.” But the Imperial finances of this country are so composite and so complicated that it is impossible to determine conclusively by any single test whether the finance of a government has been good or bad. Reduction of expenditure, for example, is a very common element of sound financial administration; but reduction of expenditure would be bad finance if it were effected by starving the public services of the country, as was the case, for example, during Mr. Gladstone’s first Administration, when, with reduced expenditure and a full treasury, the navy was so run down as to render it doubtful whether we could really command the Channel. To ascertain whether finance is good a number of tests must be simultaneously applied. If the finance in question meets them all it must be good, if it fails in all it can hardly but be bad. These tests are :—

1. INCREASE OR REDUCTION OF NATIONAL INCOME AND EXPENDITURE.
2. INCREASE OR REDUCTION OF NATIONAL DEBT.
3. IMPOSITION OR REMISSION OF TAXATION.
4. EXTENT AND ADEQUACY OF WORK DONE WITH MONEY EXPENDED.

#### I. NATIONAL INCOME AND EXPENDITURE.

The following table compiled from the “Statistical Abstract” will enable a comparison to be made between the finances of the country under Gladstonian and Unionist Ministries<sup>2</sup> respectively :—

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<sup>1</sup> Great assistance was derived in the preparation of this chapter from the Financial Leaflets of Mr. George Stronach, of which free use has been made.

<sup>2</sup> In the previous editions of this work the comparison was between the finance of the Unionist Government and that of the Gladstonian Government of 1880-85. This comparison is still maintained in this chapter, for the term of office of the present Government has not been long enough to afford materials for a full and fair comparison of results. The finance of the present Government is dealt with elsewhere (Chapter XVI.).

## I. GLADSTONE GOVERNMENT (FIVE YEARS).

	Income.	Expenditure.	Surplus.	Deficiency.
	£	£	£	£
1880-81 . .	81,872,354	80,938,990	933,364	...
1881-82 . .	83,955,229	83,605,503	349,726	...
1882-83 . .	87,386,505	87,288,327	98,178	...
1883-84 . .	86,160,184	85,954,564	205,620	...
1884-85 . .	87,988,110	89,037,883	...	1,049,773
1885-86 . .	89,581,301	92,223,844 <sup>1</sup>	...	2,642,543 <sup>1</sup>
	516,943,683	519,049,111	1,586,888	3,692,316
		Deduct surplus . .		1,586,888
		Total deficiency . .		2,105,428

## II. UNIONIST GOVERNMENT (SIX YEARS).

	Income.	Expenditure.	Surplus.	Deficiency.
	£	£	£	£
1886-87 . .	90,772,758	89,996,752	776,006	...
1887-88 . .	89,802,254	87,423,645	2,378,609	...
1888-89 . .	88,472,812 <sup>2</sup>	85,673,872 <sup>3</sup>	2,798,940 <sup>4</sup>	...
1889-90 . .	89,304,316	86,083,314	3,221,002	...
1890-91 . .	89,489,112	87,732,855	1,756,257	...
1891-92 . .	90,994,786	89,927,786	1,067,013	...
Total— 6 years . .	538,836,038	526,838,224	11,997,827	...

The total surplus for the six years of the Unionist Government was therefore £11,997,827, as contrasted with the deficiency of £2,105,428 in the six years of the Gladstone Government. The gross income of the country for the six Unionist years, with reduced taxation, exceeded by nearly 22 millions the gross income for the six Gladstonian years. The apparent increase in expenditure during the same period was due to the fact that the Unionist Government gave more for educational purposes, and contrasts most favourably with the immense increase under the Gladstone Government.

<sup>1</sup> Exclusive of 6 millions extra expenditure, met by the suspension of the Sinking Fund, a sum which otherwise would have had to have been provided for by extra taxation.

<sup>2</sup> This is exclusive of £1,410,529 of revenue appropriated to the relief of local taxation.

<sup>3</sup> Exclusive of expenditure incurred under the National Debt Conversion Act, 1888, to the extent of £2,009,958, which was met out of revenue.

<sup>4</sup> Inclusive of expenditure incurred under the National Debt Conversion Act, 1888, to the extent of £2,009,958, which was met out of revenue.

## IMPERIAL EXPENDITURE.

(*Per Head of Population. Compiled from "Statistical Abstract," pp. 7 and 226.*)

MR. GLADSTONE.						LORD SALISBURY.					
			£	s.	d.				£	s.	d.
1881	.	.	2	5	9	1887	.	.	2	9	4
1882	.	.	2	7	6	1888	.	.	2	7	6
1883	.	.	2	9	4	1889	.	.	2	7	3
1884	.	.	2	8	5	1890	.	.	2	6	0
1885	.	.	2	9	5	1891	.	.	2	6	5
1886	.	.	2	10	10	1892	.	.	2	7	2
Average	.	.	2	8	6	Average	.	.	2	7	3

It is possible that objection might be taken to the foregoing comparisons, in respect that the year 1886-87 is claimed as Unionist. It is true that the Budget for the year was introduced in April 1886, when Mr. Gladstone's Government was in power, and the estimated revenue for the ensuing year was then provided for. The Unionists took office in July of the same year, and consequently, although they may not be considered responsible for the entire provision of the revenue of the year, they may take credit for the expenditure for nine months of the year, and probably also for increase of revenue for that period caused by returning commercial prosperity, due to increased confidence in the maintenance of law and order, and the stability of property during the same period. But in order that no undue advantage may be taken, a comparison will now be made by reckoning the year 1886-87 as Gladstonian. The comparison will then be between the five Unionist years 1887-92, and the five Gladstonian years 1882-87. The total surplus for these five Unionist years is £11,221,821, or an average surplus per annum of £2,244,364. During the five Gladstonian years the total deficiency is £2,612,512, or an average deficiency per annum of £522,502. But to take the comparison in still another way, leaving out the year 1886-87 as belonging to neither, in consideration that both Unionist and Gladstonian Governments had a share in the financial results of the year. The comparison will then be between the five years 1881-86 of Gladstonian finance, and the five years 1887-92 of Unionist finance. The five years 1881-86 show a Gladstonian deficiency of £3,038,792, or an average deficiency per annum of £607,758. Taking, therefore, the comparison most favourable to the Gladstonians, we add the average Unionist surplus, £2,244,364, to the average Gladstonian deficiency, £607,758, and the result is a net gain to the country, under the Unionist Government, of £2,852,122 per annum.

## II. THE NATIONAL DEBT.

Not only did the Unionist Government continue successfully to pay its way and obtain a large surplus every year, but it also succeeded in reducing the National Debt to an extent unprecedented in the history of the country. The following figures, compiled from the "Statistical Abstract," will show the reductions in the Debt made by Gladstonian and Unionist Governments respectively:—

### I. GLADSTONE GOVERNMENT.

*(Aggregate net Liabilities of the State.)*

1880-81	. .	£734,670,016	Decrease from preceding year	. .	£4,831,589
1881-82	. .	730,639,841	"	"	4,030,175
1882-83	. .	724,934,824	"	"	5,705,017
1883-84	. .	717,568,230	"	"	7,366,694
1884-85	. .	711,890,536	"	"	5,677,694
1885-86	. .	713,454,980	Increase	"	£1,564,444
Total decrease					£26,046,725

### II. UNIONIST GOVERNMENT.

*(Aggregate net Liabilities of the State.)*

1886-87	. .	£706,796,709	Decrease from preceding year	. .	£6,658,271
1887-88	. .	701,204,664	"	"	5,592,045
1888-89	. .	693,989,633	"	"	7,215,031
1889-90	. .	684,954,150	"	"	9,035,483
1890-91	. .	680,681,581	"	"	4,272,569
1891-92	. .	675,332,339	"	"	5,349,242
Total decrease					£38,122,641

The Debt, when the Unionist Government went out in 1892, was lower than it has ever been since before the battle of Waterloo. It should be noted that the total amount the Government were able to devote to the payment of debt out of revenue was £44,600,000. The total reduction of the net liabilities of the State was less than this by 6½ millions, owing to sums having been borrowed on temporary loans for naval defence, &c. Had the Government, however, had no surplus revenue to devote to the payment of debt, the National Debt would now have been £44,600,000, not £38,122,641 higher than it is.

The charge was made against Mr. Goschen by Sir William Harcourt and others that his apparently favourable results were obtained by borrowing on temporary loans, and increasing the floating debt. But if Mr. Goschen contracted some temporary loans, he paid off permanent debt in the ratio of £7 of permanent

debt paid off for every £1 temporarily borrowed. The figures given above, it will be observed, are the "aggregate net liabilities," and after Mr. Goschen is debited with all his temporary loans, the fact remains that he left the country owing less by £38,000,000 than it did when the Unionist Government took office.

### THE CONVERSION SCHEME.

On 9th March 1888 Mr. Goschen explained to the House of Commons his scheme for the conversion of the National Debt. Complete success has attended the bold and carefully elaborated scheme which he propounded.

*Reasons for the Conversion.*—Industrial developments, enlarged intercourse between nation and nation, a thousand causes are at work increasing at once the wealth of communities and the difficulties in the way of providing safe investments for it. It follows from this that countries are now able to borrow at much lower rates of interest than they did eight or ten years ago. There has been a rise in the market values of national credit almost everywhere, but in this rise England has not hitherto had her full share, because of the peculiar situation of her debt. It was a decreasing, not an increasing debt, and therefore the interest per cent. payable upon it ought to have become smaller and smaller. But it could not do so, because the rate had been fixed in a past generation. The country could not therefore reap the benefit of its improved credit. Mr. Goschen saw that it is not right for the Government to pay a higher rate of interest on the Debt than is demanded by the credit of the country. When the borrowing power of the country stands at something between  $2\frac{3}{4}$  and  $2\frac{1}{2}$  per cent., the Exchequer, it is plain, ought not to go on paying 3 per cent.

*The Scheme Explained.*—Mr. Goschen's scheme to reduce the interest was simple, and may be explained in a few words. The holders of the National Debt were divided into three classes—first came Consols, of which there were 324 millions; then Reduced Threes, with 69 millions; and finally, New Threes, with 166 millions. Mr. Goschen made of these various securities one large stock, with quarterly dividends, bearing interest at  $2\frac{3}{4}$  per cent. for fifteen years, and after that period bearing  $2\frac{1}{2}$  per cent., irredeemable for twenty years.

*Beneficial Results of the Conversion.*—The immediate benefit to the commercial public from the conversion is the creation of precisely that kind of large, homogeneous, and steady stock which the market requires. The mere elevation of the standard of national credit to a  $2\frac{1}{2}$  per cent. basis—for that is what the scheme really means—must facilitate new developments in the

employment of credit, cheapen its use in legitimate enterprise, and add to the value of whole groups of miscellaneous investments. To the tax-paying public the benefit is not less substantial. The immediate reduction of the interest to  $2\frac{3}{4}$  per cent. will save to the State about £1,400,000 a year for fourteen years; while after 1903 there will be an annual saving of £2,800,000. These are figures indicating a substantial relief to the taxpayer. Even Mr. Gladstone, at the time, was forced to acknowledge, "I have very great satisfaction in congratulating the Chancellor of the Exchequer upon the plan which he has laid before us, and upon the manner in which he has addressed himself to a very arduous labour."

### III.—TAXES IMPOSED OR REMITTED.

Exclusive of increased taxes, the proceeds of which were handed over directly to local authorities, and were therefore not imposed for Imperial purposes, the total new taxation levied by Mr. Goschen yields rather upwards of a million and a half per annum, whilst the taxes which he remitted yielded upwards of seven and a half millions. He was able, therefore, in the management of Imperial finance to remit taxation to the net amount of about six millions sterling per annum.

#### TAXATION IMPOSED OR INCREASED.

Year when Imposed.	Tax.	Amount of Annual Increase.	No. of Years in Operation.	Estimated Total Levied.
1887	Wine duty . . . .	£3,000	1	£3,000
	Stock transfer . . . .	120,000	5	600,000
1888	Wine duty . . . .	163,000	4	652,000
	Death duties . . . .	134,000	4	536,000
	Stamps . . . . .	150,000	4	600,000
	Bonds, &c. . . . .	290,000	4	1,160,000
1889	Beer duty <sup>1</sup> . . . .	316,000	1	316,000
	Estate duty . . . .	789,000	3	2,367,000
1890	Nil.			
1891	Nil.			
Estimated gross amount of taxation imposed or increased				£6,234,000

<sup>1</sup> In 1890 3d. of the beer duty was transferred to the local authorities, and as this was rather more than equivalent in amount to the additional charge made in 1889, the latter is only counted as a new Imperial tax for one year.

TAXATION REPEALED OR REDUCED.

Year when Remitted.	Tax.	Amount of Annual Reduction.	No. of Years in Operation.	Estimated Total Reduction.
1886	Wine duties . . .	(£109,000) <sup>1</sup>	6	(£654,000) <sup>1</sup>
	Excise licences . . .	(14,000) <sup>1</sup>	6	(84,000) <sup>1</sup>
1887	Tobacco duty . . .	508,000	5	2,540,000
	Stamps . . . . .	7,000	5	35,000
	Income tax . . . . .	2,000,000	5	10,000,000
1888	Hawkers . . . . .	11,000	4	44,000
	Carriages . . . . .	56,000	4	224,000
	Income tax . . . . .	2,032,000	4	8,128,000
1890	Plate duty . . . . .	109,000	2	218,000
	Tea and currants . .	1,274,000	2	2,548,000
	House duty . . . . .	570,000	2	1,140,000
1891	Nil.			
Estimated gross amount of taxation reduced . . .				£24,577,000

SALISBURY v. GLADSTONE.

Salisbury Government.

Total reduction of taxation . . .	£24,577,000
Less taxes imposed or increased . .	6,234,000
Total relief . . . . .	£18,343,000

Gladstone Government.

Total reduction of taxation <sup>2</sup> . . .	£3,381,000
Taxes imposed or increased . . .	21,261,000
Net addition . . . . .	£17,880,000

The result, therefore, of a comparison as accurate as circumstances permit, is that during Mr. Gladstone's tenure of office he mulcted the taxpayers in an amount greater by £17,880,000 than would have been levied if the basis of taxation as it was left by Lord Beaconsfield's Government had remained unaltered.

On the other hand, Lord Salisbury's Government, apart from the relief they afforded to local taxation, relieved the Imperial taxpayer by a sum of about £18,347,000, which he would have been called upon to pay had the basis of taxation remained as high as Mr. Gladstone left it in 1886.

<sup>1</sup> As this year was half Unionist, half Gladstonian, these figures are ignored in the summation.

<sup>2</sup> In 1880 Mr. Gladstone substituted a beer duty for the malt duty. The estimated amount of the malt duty was £8,444,000, of the beer duty £9,008,000. The difference alone is here taken into account. If the taxes are treated as entirely separate, £50,664,000 falls to be added to the taxation remitted, and a like amount to the taxation imposed or increased.



The income tax may be regarded as the financial barometer of the Government, and as successful financing is a sure sign of good government, it may not be out of place here to compare its increase or decrease under Mr. Gladstone and Lord Salisbury respectively. In order to do this, it is necessary to take as the basis the rate of taxation in force when each Government came into power, the amount added, and the time the increased impost remained in force. From pages 20 to 25 of the "Statistical Abstract" it appears that Mr. Gladstone's Government found the tax in 1880 at 5d., and left it in 1886 at 8d., whilst Lord Salisbury's Government found it in 1886 at 8d., and left it in 1892 at 6d. Mr. Gladstone levied in six years £12,747,000 more than the rate which he found in force when he took office would have yielded had he not increased it. Lord Salisbury levied in six years £18,747,000 less than the rate which he found would have yielded had it not been diminished. The rate for each year since 1879-80 is as follows:—

1879-80.	Beaconsfield Budget	.	.	.	5d.
1880-81.	Gladstone	"	.	.	6d.
1881-82.	"	"	.	.	5d.
1882-83.	"	"	.	.	6½d.
1883-84.	"	"	.	.	5d.
1884-85.	"	"	.	.	6d.
1885-86.	"	"	.	.	8d.
1886-87.	"	"	.	.	8d.
1887-88.	Salisbury	"	.	.	7d.
1888-89.	"	"	.	.	6d.
1889-90.	"	"	.	.	6d.
1890-91.	"	"	.	.	6d.
1891-92.	"	"	.	.	6d.
1892-93.	"	"	.	.	6d.
1893-94.	Gladstone	"	.	.	7d.

#### IV.—WORK DONE FOR THE MONEY EXPENDED.

As above pointed out, no credit could be claimed for otherwise successful finance if the public services of the country had been starved to bring it about. But this was far from being the case as regards the late Unionist Government.

*National Defences.*—The subject of the naval and military administration of the late Government is dealt with in another chapter. It is enough here to record that at no time were these services in a more thoroughly equipped condition, and that no ministers of modern times have done more for the respective services entrusted to their care than did Lord George Hamilton and the late Mr. Stanhope, with the means Mr. Goschen was able to place at their disposal. Not only was the ordinary work overtaken, but large sums were devoted to new schemes for strengthening the defence of the country.

Naval defence was provided for by an additional sum spread over a term of seven years of £21,500,000.

Coaling stations and ports were fortified at an expense of £2,251,000.

For barrack construction there was set aside in 1891 £725,000.

The capitation grant to volunteers was increased, and there was allotted to them for equipments a sum of £150,000.

*Free Education.*—Free education was provided for the people of Great Britain at a cost of upwards of £2,300,000.

*Post Office.*—Rates were reduced, and the remuneration of employees was made more adequate.

*Grants in Aid.*—In 1885–6 the total amount of the grants in aid of local taxation<sup>1</sup> was £5,775,000. In 1891–2 the amount, including the returns from the licence, probate, beer and spirit duty assigned for local purposes, was £10,927,000 (grants, &c., £3,456,794, payments to local taxation account, £7,581,832). This showed an increase of no less than £5,152,000 per annum.

Of this increase about £4,422,000 represented the actual amount of new grants. *Approximately* the matter stood thus:—

*Grants—*

Licence duties . . . . .	£3,392,000
Moiety of probate duty . . . . .	2,794,000
Beer and spirit duties . . . . .	1,396,000
Irish labourers' cottages . . . . .	40,000
	<hr/>
	£7,622,000
Less previous grants withdrawn . . . . .	3,200,000
	<hr/>
Balance . . . . .	£4,422,000

The remainder of the difference was attributable to the expansion during these years of the amounts required for existing grants, sums which were found without any increase of taxation. In 1892, in round figures, the amount of grants in aid of the old kind was £3,300,000 against £5,775,000 in 1885–6. The amount of taxes assigned for local purposes £7,600,000 against *nil* in 1885–6.

Further particulars of *work done* will be found in the following:—

SUMMARY OF UNIONIST FINANCE.<sup>2</sup>

In the six years 1880–86 (Gladstonian), the revenue exceeded expectations by . . . . .	£4,114,000
In the six years 1886–92 (Unionist), the revenue exceeded expectations by . . . . .	9,815,000

<sup>1</sup> Including charges in cases where the control as well as the burden has been transferred to the Imperial Government.

<sup>2</sup> “Statistical Abstract.”

The annual expenditure decreased from £92,223,000 in 1885-86 to £89,928,000 in 1891-92, or by a sum of . . . . .	£2,295,000
Surplus revenue was applied in payment of debt to the amount of . . . . .	44,600,000
The National Debt was diminished between 1886-92 by a net sum of . . . . .	38,103,399
Surpluses accrued in 1886-92 to the extent of . . . . .	11,997,000
The income tax was reduced from 8d. to 6d., or annually by . . . . .	4,600,000 <sup>1</sup>
The tobacco duty was reduced per annum by . . . . .	615,000 <sup>1</sup>
Naval defence was provided for by an additional sum, spread over a term of seven years, of . . . . .	21,500,000
Duties on tea and currants were reduced per annum by . . . . .	1,710,000 <sup>1</sup>
The inhabited house duty was reduced annually by . . . . .	430,000
Local rates were relieved by new grants to the amount of about . . . . .	4,400,000
For the relief of Irish distress by the construction of light railways and other works, a grant was made of . . . . .	1,000,000
This is irrespective of grants for land purchase of . . . . .	10,000,000
Free education for England was afforded at an annual cost of . . . . .	2,000,000
Free education for Scotland was provided at an annual cost of upwards of . . . . .	307,000
Public works in the country were provided for by an annual grant of . . . . .	1,000,000
By abolition of unnecessary public appointments there was effected a saving per annum of . . . . .	109,000
The whole produce of the carriage tax was given for the maintenance of roads in England and Scotland—£245,000 to England, and £35,000 to Scotland, while Ireland, which has no carriage tax, got £50,000 to be applied to arterial drainage	
The Volunteers were allotted for equipments . . . . .	150,000
For barrack construction there was set aside a sum of . . . . .	725,000
The withdrawal of light gold was provided for by a vote of . . . . .	400,000
Cheap postage to the colonies was secured at an annual sacrifice of . . . . .	80,000
The conversion of Consols by Mr. Goschen's Conversion Scheme of 1888 saves the country, from 1889 to 1903, per annum . . . . .	1,400,000
And after 1903, per annum . . . . .	2,800,000

<sup>1</sup> As estimated. The actual reduction of revenue was not so great, owing to the increased prosperity of the country in the case of income tax, and increased consumption consequent on remission of taxation in the case of tobacco, tea, and currants.

For Irish education the Unionist Government gave	
a grant per annum of . . . . .	£1,000,000
The servants of the Post Office received an additional	
sum per annum of . . . . .	150,000

MISCELLANEOUS STATISTICS.

Five Years' Trade.

	Value of Exports and Imports.	Increase.
1886 . . . . .	£618,000,000	...
1887 . . . . .	643,000,000	£25,000,000
1888 . . . . .	686,000,000	43,000,000
1889 . . . . .	743,000,000	58,000,000
1890 . . . . .	748,000,000	5,000,000
1891 . . . . .	744,000,000	...
1892 . . . . .		

The volume of trade (exports and imports) increased from 1886, when the Unionist Government entered office, to December 1891 by . . . . .	£126,000,000
Our colonial trade (exports and imports) increased in the same period by . . . . .	28,688,000
Shipping returns for 1891 showed increased cargo traffic over 1886 of (tons) . . . . .	9,436,000
In 1886 (1st July) the number of paupers in the United Kingdom was . . . . .	1,030,000
In 1892 (1st July), with an increased population, it was reduced to . . . . .	917,000
The capital in Post Office Savings Banks increased from 1886 to 1892 by . . . . .	24,979,000

WAR EXPENDITURE.<sup>1</sup>

Gladstone Government.	Salisbury Government.
1880-3. Transvaal war . . . . .	NIL.
1881-2. Zulu war . . . . .	
1882-4. Egyptian expedition . . . . .	
1884-5. Relief of Gen. Gordon . . . . .	
1884-5. Nile expedition . . . . .	
1884-5. Soudan war . . . . .	
1884-5. Bechuanaland expedition . . . . .	
1885-6. Vote of credit . . . . .	
Total . . . . .	

<sup>1</sup> Under both Governments there were, as there always are, from time to time small expeditions in India, but the expense of these is not chargeable against the British Exchequer.

## PART II.

### IRELAND.

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#### CHAPTER XI.

#### IRELAND UNDER THE UNIONIST GOVERNMENT, 1886-92.

IRELAND shared with Great Britain the general prosperity which so speedily followed the advent of the Unionists to power, but she also obtained as peculiar to herself at least five great benefits :—

- I. RESTORATION OF LAW AND ORDER.
- II. FURTHER IMPROVEMENT OF TENANT RIGHTS.
- III. A PRACTICAL SCHEME FOR AMELIORATION OF CONGESTED DISTRICTS.
- IV. LAND PURCHASE.
- V. RESCUE FROM FAMINE.

##### I. RESTORATION OF LAW AND ORDER.

One of the most powerful arguments made use of by the advocates of Home Rule during the contest of 1886 was that Great Britain had neither the time nor the ability nor the desire to do justice to the interests of Ireland, in the way either of legislation or of administration. This argument had considerable weight with that large portion of the electorate who have no time to make a study of politics, but are under the necessity of reading as they run; and one must admit that, so far as the argument turned upon the want of *ability* on the part of Great Britain to legislate for and govern Ireland, it had at that time a seeming foundation in fact.

*The Liberal Government of 1880-85 lacked backbone.*—Anything more lamentable than the conduct of Irish affairs by the Liberal Government of 1880-85 can hardly be imagined. That Government contained, no doubt, one or two strong, capable men; but, as a whole, its great characteristic was want of backbone. It went stumbling on through session after session, now and then, by fits and starts, putting on a brave show of determination, anon growing timid at its own little daring, until it became the laughing-stock of Christendom.

*The Gladstonians surrendered.*—The nature of their Irish policy was neatly put into their mouths as follows, by Mr. M'Iver, Unionist candidate for South Edinburgh, when he addressed the electors of that division on 14th October 1890:—

“It is no use; the game of law and order is up. We have tried strength and we have tried weakness, coaxing and bullying, repression and conciliation. We cannot govern Ireland, and so we propose to surrender.”

And if a Gladstonian authority is desired, take the speech delivered at the Devonshire Club, on 2nd March 1887, by Sir George Trevelyan, who on that occasion made public his opinion that “the game of law and order was up in Ireland,” and took up his position as the friend and patron of the law-breakers in Ireland.

*The Unionist Legacy.*—On the occasion above-mentioned Mr. M'Iver thus graphically described the effects upon Ireland of this vacillating policy:—

Mr. Gladstone's Government left “Ireland a prey to the powers of anarchy—all sense of security gone; trade paralysed; unrest and uncertainty hanging like a cloud over the land; one part of the country honeycombed with sedition, its people controlled by a knot of professional agitators, and tyrannised over by an irresponsible body supported by alien gold; liberty a dead letter, individual freedom denied, the loyal inhabitants crushed and trembling under the ban of the boycott, ‘whose sanction,’ as we all know on the best authority, ‘is the murder that will not be denounced.’”

One is therefore not altogether surprised that in 1886 the argument on inability had a certain measure of success.

*The Unionist Government buckled to.*—The Unionist Government demonstrated that when the destinies of Great Britain are committed to the keeping of men “wise in counsel and firm in action,” Ireland becomes happy, prosperous, and contented, though the change must, of course, be slow and gradual, and can only be completed by continuity of treatment. An immense improvement was effected during these six years in the face of almost unexampled difficulties. The condition in which Ireland was left by the Gladstonian Government has already been described, and as soon as it was seen that the Unionist Government had made up its mind to grapple seriously with the situation, the Irish patriots declared war against orderly Government in Ireland.

*Parnellites glorified themselves as the Fathers of Coercion.*—Proof of this is hardly needed, but Mr. John Redmond was not ashamed to own it in Wexford when, on Sunday, 5th August 1886, he thus spoke to the tenantry of Glenbrian in that county:—

“When Mr. Gladstone was defeated in England last year, and when the Tories came into power, they boasted they could govern Ireland by means of the ordinary law. Mr. Gladstone, on the contrary, told the people of England that they had to choose between ‘Coercion’ on the one side, and Home Rule on the other. Home Rule was defeated at the last election in Great Britain, and I say advisedly that if in the face of that defeat the Tories had been able to rule Ireland with the ordinary law the result would have been, in England and Scotland, to throw back our cause, perhaps for a generation, and to give the lie direct to the prophecy of Mr. Gladstone. . . . We have been able to force the Government to give up the ordinary law and to fall back once more on ‘Coercion.’”<sup>1</sup>

*Desperate Nature of the Struggle.*—In a short time the Plan of Campaign—charmingly described by Mr. Harrington, M.P., as “a plan by which the tenants could fight the landlord with the landlord’s money,” but more adequately described as “an impudent and fraudulent device to enable tenants to defy their landlords, and pay them just as much or as little as they thought fit, the tenant lodging in the hands of a confederate the money which ought to have gone to pay his stipulated rent, and thereby making or pretending to make himself insolvent”—was in full swing on no fewer than forty estates, and crime was rampant wherever the National League held sway.

*What the Cowper Commission revealed.*—The Commission presided over by Lord Cowper, who was Lord Lieutenant of Ireland under Mr. Gladstone’s Government in 1880–82, made known a terrible state of things. The National League had obtained complete domination over the people. Outrage followed disobedience of the League’s commands, and it was as much as a man’s life was worth to be outside the League’s ranks. No jury in the country districts dared convict. The people dared not help the police, and murders were committed with impunity unless witnessed by the police.

For the fifteen months ending 31st March 1887 there were<sup>2</sup>—

Crimes.	Convictions.
11 murders . . . . .	1
23 cases of firing at person . . . . .	1
44 assaults . . . . .	18
84 outrages on cattle . . . . .	0
51 cases of firing into dwellings . . . . .	1
175 cases of injury to property . . . . .	7
<hr/> 388	<hr/> 28

<sup>1</sup> *Enniscorthy Guardian* (Nationalist paper), December 11, 1886.

<sup>2</sup> These figures have all been carefully compiled from Parliamentary Blue Books.



*Fair Weather.*—And yet on the 28th September 1891 Mr. R. B. Haldane, M.P., had the singular effrontery, relying on the short memory of his constituents, to tell them at Dunbar that “so far Mr. Balfour had guided the ship in ‘fair weather.’”

*Coercion applied*, i.e., *stricter measures taken to secure obedience to already existing laws.*—Her Majesty’s Ministers, however, came, under these circumstances, to the same conclusion as did Mr. Gladstone on a previous occasion:—

“It is a great issue; it is a conflict for the very first and elementary principles upon which civil society is constituted. It is idle to talk of either law or order, or liberty, or religion, or civilisation, if these gentlemen are to carry through the reckless and chaotic schemes that they have devised. Rapine is the first object; but rapine is not the only object. It is perfectly true that these gentlemen wish to march through rapine to the disintegration and dismemberment of the Empire, and, I am sorry to say, even to the placing of different parts of the Empire in direct hostility one with the other. That is the issue in which we are engaged. Our opponents are not the people of Ireland. We are endeavouring to relieve the people of Ireland from the weight of a tyrannical yoke.”<sup>1</sup>

“They (hon. gentlemen) must explain, by some statement of fact, if they could give a different colour to the relations of the Land League to the crimes committed in Ireland, and they must explain the reason of the breaking down of the administration of justice. What did the breaking down mean? It meant the destruction of the peace of life; it meant the placing in abeyance of the most sacred duties and the most cherished duties; it meant the servitude of good men, the impunity and supremacy of bad men.”<sup>2</sup>

And they saw that special facilities were required for the restoration of law and order in Ireland. Such a policy is known by the rather vulgar but convenient name of “Coercion.” It is a policy well known to the Liberal statesmen of this country, for during the last sixty-two years they have themselves resorted to it no fewer than thirty-eight different times, inclusive of that in 1882, when Mr. Gladstone passed the most severe Act of the kind known to history. For well-understood reasons, the “Coercion” Act of 1887 (Criminal Law and Procedure (Ireland) Act, 1887, 50 & 51 Vict. c. 20) was thoroughly hated by the two classes of people upon whom it bore heavily:—

1. *The Gladstonians*, who dreaded nothing so much as that Ireland should become peaceful and contented under the care of the Unionist Government; and

2. *The Conspirators*, for the unveiling of whose evil deeds the Act gave special facilities.

<sup>1</sup> At Knowsley, October 27, 1881.

<sup>2</sup> House of Commons, January 11, 1882.

*What Coercion is not.*—All kinds of unjust and unscrupulous things have been said about this Coercion Act:—

1. It has been said by Mr. Gladstone, Mr. Campbell-Bannerman, Mr. Asher, and many other politicians of note, that in resorting to what they are pleased to call "Coercion," Her Majesty's Ministers broke a pledge given by them before the Election of 1886.

*Did the Unionist Government in resorting to Coercion break any Pledge?*—If these gentlemen would only take time to consider the meaning of "Coercion," they would realise that no statesman in his sound senses could ever have given such a pledge. Endless quotations could be given to prove that no such pledge was given, but let the following suffice:—

Mr. Gladstone in his election manifesto of 14th June 1886 used these words:—

"Two clear, positive, intelligible plans are before the world. There is the plan of the Government, and there is the plan of Lord Salisbury. . . . His plan is to ask Parliament for new repressive laws, and to enforce them resolutely for twenty years."

To this, in a letter dated the following day, Lord Salisbury replied:—

"I have never proposed to enforce new repressive laws for twenty years. . . . If the prevalence and character of crime should be such as to require repressive laws, they must be made; but whether that necessity will exist, and at what time, is a question on which I have expressed no opinion whatever."

Here Lord Salisbury says that if repressive laws are required they must be made. That is what Mr. Gladstone and Mr. Campbell-Bannerman call a pledge against coercion. Other Unionists spoke in the same sense. Lord Hartington in his manifesto said:—

"No one has advocated coercion as a policy; but there is a point at which any Government would be compelled to resort to what may be described as coercion."

Another leading Minister, the late Mr. W. H. Smith, said in his election address:—

"We are reproached that the only alternative is coercion. I deny that it is coercion to provide by legislation and by administration that every Irishman shall be secured in the enjoyment of the individual freedom which is the birthright of all subjects of the Queen—the right to farm, to trade, and to labour, to buy and to sell as and where he likes, and to dwell in his own home safe from the outrages of moonlighters and assassins."

And here is what has to be construed into Sir Michael Hicks-Beach's pledge never to resort to coercion :—

“Neither in Great Britain nor in Ireland can political organisations be permitted to seek their ends through intimidation backed by outrage and crime. To prevent this is the plain duty of any Government, for it is not coercion, but the necessary vindication of constitutional freedom.”

Mr. Goschen was not then, any more than Lord Hartington, in a position to give pledges that could bind the Government, but he was a chief exponent of Unionist policy, and he used these words at Newcastle on the eve of the General Election :—

“When they speak of oppression, when they speak of tyranny, they mean nothing more than this—that we have endeavoured to enforce the law. We shall continue to endeavour to enforce the law, and in that we shall have the support of all those who are not rebels against the laws, not only of Great Britain and Ireland, but of the laws of morality and of Christianity itself. We shall not falter under any taunts ; we shall hold to the truth in that respect.”

Were it necessary, quotations to the same purport could be given from the sayings in 1886 of nearly every leading Unionist. They all repudiated the idea that they regarded coercion as an alternative policy to Home Rule. But they also said distinctly that if need arose they would not hesitate to adopt exceptional measures to repress crime. Nothing could better express their attitude than the words of the present Duke of Devonshire, spoken at Glasgow on 25th June 1886, when the election contest had fairly begun. “I am not going to be intimidated,” he said, “by the name of coercion from supporting, or, if need be, proposing, such measures as may be necessary for the enforcement of just and equal laws and rights in Ireland.” Yet Mr. Gladstone says, and Mr. Campbell-Bannerman and all the tribe echo the calumny, that when the Unionists brought in their Crimes Bill of 1887 they were guilty of breaking their election pledges.

2. On countless platforms it has been denounced as destroying the liberty of the press, gagging the mouths of free subjects, prohibiting public meetings and all lawful constitutional agitation, &c., &c. And yet why should Gladstonians be so bitter ?

*Sir George Trevelyan defines “Coercion.”*—Let them take their answer to this charge from the mouth of one of their own high priests (Sir George Trevelyan), who, at Selkirk, on June 30, 1886, gave the following excellent definition of “Coercion” :—

“That which is called ‘Coercion’ is merely the putting in force the steps which are required to ensure conviction and to carry out the ordinary law.”

*What Coercion is.*—The foregoing definition describes with absolute accuracy the Act of 1887. Search it through from beginning to end and there will not be found the creation of one new crime.

*Scotland is always under Coercion.*—Even the facilities created by it for the detection of crime bear so remarkable a resemblance to the every-day law of Scotland that under its provisions no Irish subject can be more harshly treated than his brother in Scotland. This Act does not prevent an Irishman doing anything that a Scotchman or an Englishman might do. It aims a blow at certain associations, but only at those formed for the purpose of crime. No combination can be suppressed in Ireland which can lawfully exist in Great Britain. In point of severity it cannot compare with the Gladstonian Act of 1881, which permitted persons to be kept in prison on suspicion without being brought up for trial, nor with the still more stringent Act of 1882. But in the firm hands of Mr. Balfour it was sufficiently severe to effect its purpose, and under its provisions the lawlessness of Irish agitators fostered by the Gladstonian leaders was at last foiled by the Unionist Government.

*Lawlessness fostered by Gladstonian Leaders. Is this accusation true?*—Mr. Gladstone, speaking in October 1890 to his Midlothian constituents, said :—

“ I will not say that any man ought to break any law, but if in Ireland they have the smallest self-respect, the smallest love of country, and the smallest care for their wives and children, these laws, and, above all, the system under which they are administered, ought to be hateful in their sight. . . . The Irish ought to hate the law.”

*The Law of the Land triumphed over the Law of the League.*—The condition of Ireland after five years of Unionist Government was thus summed up by Mr. T. W. Russell at Carlisle on 28th September 1891 :—

“ He was there to affirm that crime of an ordinary character was less rife in Ireland than it was in England. He was there to tell them that agrarian crime had been diminished during these years by sixty per cent. ; that the Queen’s writ ran from north to south and from east to west ; that rents are paid, and that contracts are not repudiated ; that the Plan of Campaign was dead or dying—(hear, hear)—that boycotting had almost ceased ; that evictions had been diminished by fifty per cent. ; and that everywhere honest men were able to breathe and call their souls their own. (Cheers.) In addition to all that, he should be able to tell them that what was called a Coercion Act had all but ceased to operate in Ireland, that scarcely a Crimes Court sat, and that the removable magistrates had little or

nothing to do—that, in fact, all the active portions of the Crimes Act had been taken off the country by proclamation, and that Ireland was now for all practical purposes governed by the ordinary law of the land.” (Cheers.)

*Bad going—good coming.*—Everything bad was rapidly disappearing, everything good was on the increase, as will be apparent on a careful study of the following figures:—

#### I.—PROSECUTIONS UNDER THE CRIMES ACT.<sup>1</sup>

	Total.	Discharged.	Convicted.
In 1888 . . . . .	1475	393	1082
In 1889 . . . . .	839	242	597
In 1890 . . . . .	530	139	391
In 1891 . . . . .	243	57	186
	Courts Held.	Cases Tried.	Persons Tried.
First four months of 1890 . . . . .	71	72	238
Do. do. 1891 . . . . .	31	33	101
	—	—	—
Decrease . . . . .	40	39	137

On 3rd June 1891 there were 3019 persons in prison under the ordinary law, and only 21 under the Crimes Act.

On 1st March 1892 there was not a single prisoner under this Act.

On 4th April 1892 there were five persons in prison under this Act for being concerned in riot and unlawful assembly.

On 1st June 1892 out of 2998 prisoners in custody throughout Ireland only 4 were prisoners under the Crimes Act.

#### II.—BOYCOTTING.<sup>1</sup>

	Persons wholly Boycotted.	Partially Boycotted.	Total.
1887, June 30 . . . . .	886	4035	4901
1891, May 31 . . . . .	0	403	403
	—	—	—
Decrease . . . . .	866	3632	4498

On 31st December 1891, and on 4th April 1892, there was not a single person boycotted either wholly or partially.

#### III.—AGRARIAN OFFENCES.<sup>1</sup>

	Exclusive of Threatening Letters.	Threaten- ing Letters.	Total.
1886 . . . . .	632	424	1056
1891 . . . . .	257	215	472
	—	—	—
Decrease . . . . .	375	209	584

The half-year ending 30th June 1892 showed a still better result, for the total was 231, of which 121 were threatening letters.

<sup>1</sup> These figures have all been carefully compiled from Parliamentary Blue Books.

IV.—SMALL SAVINGS IN POST OFFICE AND TRUSTEE SAVINGS BANKS.<sup>1</sup>

1886, December 31, amount deposited . . . . .	£4,710,000
1891, December 31, do. do. . . . .	5,932,000
Increase . . . . .	£1,222,000

On 30th June 1892, the amount deposited was £6,027,000, being a further increase of £95,000.

V.—DEPOSITS AND CASH BALANCES IN JOINT-STOCK BANKS.<sup>1</sup>

## (a) Gladstonian Years.

1880, December 31 . . . . .	£29,746,000
1885, December 31 . . . . .	29,370,000
Decrease . . . . .	£376,000

## (b) Unionist Years.

1886, December 31 . . . . .	£30,172,000
1891, December 31 . . . . .	34,532,000
Increase . . . . .	£4,360,000

On 30th June 1892, the total was £34,565,000, being a further increase of £33,000.

## VI.—RAILWAYS.

1886, Number of passengers . . . . .	18,640,000
1891, do. . . . .	21,423,000
Increase . . . . .	2,783,000
1886, Goods traffic . . . . .	£1,270,000
1891, do. . . . .	1,448,000
Increase . . . . .	£178,000

As compared with 1890 the increase was £78,000, being the highest annual amount then on record for Irish railways.

VII.—SHIPPING.<sup>1</sup>

1886, Tonnage of vessels entered and cleared in the ports of Ireland . . . . .	10,137,467
1891, do. do. . . . .	10,759,900
Increase . . . . .	622,433

<sup>1</sup> These figures have all been carefully compiled from Parliamentary Blue Books.

VIII.—PAUPERISM.<sup>1</sup>

Average number of indoor paupers for five years,			
1882-86 (January)	.	.	50,809
Do.	do.	1887-91 (January)	45,848
Being a reduction of 10 per cent.			
On 1st January 1892 the number was	.	.	42,504

IX.—EVICTIONS.<sup>1</sup>

In 1882-3-4, under Lord Spencer's rule, 6887 tenants and sub-tenants were evicted; during the last three years of the Unionist Government of 1886-92 the number was only 3576.

During the first six months of 1892 there were 368 cases of tenants finally turned out of their holdings in Ireland.

In 1891 the total was 799.

In 1890 the total was 1421.

The evictions in London for the two years 1889-90 numbered 6554, and in 688 cases force had to be used.

X.—EMIGRATION.<sup>1</sup>

The average number of Irish emigrants for the five Gladstonian years 1880-84 (both inclusive) was 18,927 larger than the average for the five Unionist years 1887-91 (both inclusive); and the total reduction during these five Unionist years was 94,637.

XI.—AGRICULTURAL PROGRESS.<sup>1</sup>

Description of Stock.	Number in 1886.	Number in 1892.	Increase or Decrease since 1886.
Horses . . . . .	549,204	606,170	+ 56,966
Mules and asses . . . . .	225,340	246,609	+ 21,269
Cattle . . . . .	4,183,924	4,531,025	+ 347,101
Sheep . . . . .	3,366,043	4,827,702	+ 1,461,659
Pigs . . . . .	1,263,142	1,115,888	- 147,254
Goats . . . . .	266,176	332,617	+ 66,441
Poultry . . . . .	13,909,822	15,335,581	+ 1,425,759

XII.—COMMERCIAL PROGRESS.<sup>2</sup>

- A.—January 1886, before introduction of Home Rule Bill.
- B.—May 1886, while the fate of that Bill was uncertain.
- C.—December 1891, after five years of Unionist Government.

<sup>1</sup> These figures have all been carefully compiled from Parliamentary Blue Books.  
<sup>2</sup> These figures have been taken from the leading daily journals. See Chapter XIII. for effect of the Home Rule Bill of 1893 upon commerce in Ireland.



	A.	B.	C.
Bank of Ireland Stock . . . . .	271	260	326
Ulster Bank Shares (£2, 10s. paid) . . . . .	10 $\frac{5}{8}$	9 $\frac{1}{8}$	10 $\frac{1}{8}$
City of Dublin Steamship Company . . . . .	113 $\frac{1}{2}$	110	121
Belfast and Northern Counties Railway, Ordinary . . . . .	69 $\frac{3}{4}$	68	122 $\frac{1}{2}$
"    "    "    "    "    Preference . . . . .	98 $\frac{1}{4}$	93 $\frac{1}{2}$	116
"    "    "    "    "    Debentures . . . . .	105	101 $\frac{1}{2}$	120
Dublin, Wicklow and Wexford " Ordinary . . . . .	54 $\frac{1}{2}$	42 $\frac{1}{2}$	44
"    "    "    "    "    Preference . . . . .	100	99	126
Great Northern of Ireland Railway, Ordinary . . . . .	103 $\frac{3}{4}$	95	131 $\frac{5}{8}$
"    "    "    "    "    Preference . . . . .	104 $\frac{1}{4}$	101 $\frac{1}{2}$	131
"    "    "    "    "    Debentures . . . . .	107 $\frac{1}{4}$	105	123
Great Southern and Western Railway, Ordinary . . . . .	102 $\frac{1}{8}$	95	117 $\frac{3}{4}$
Midland Great Western Railway, Ordinary . . . . .	68	61 $\frac{1}{4}$	105 $\frac{7}{8}$
"    "    "    "    "    Preference . . . . .	100	94	116
"    "    "    "    "    Debentures . . . . .	103	100 $\frac{1}{4}$	122 $\frac{3}{8}$
Belfast Street Tramways . . . . .	111 $\frac{1}{8}$	101 $\frac{3}{8}$	15 $\frac{3}{4}$
Dublin United Tramways . . . . .	108	101 $\frac{1}{8}$	101 $\frac{5}{8}$

*Lord Ripon's Misrepresentation.*—During the fierce struggle which ended so happily, many unjust and ungenerous things were said of the man whose firm hand safely guided the Irish ship into smooth waters, but never was anything more unjust or more ungenerous said than when, on the 29th January 1892, at a meeting in Edinburgh, Lord Ripon so far forgot himself as to say that the near approach of a General Election had induced Mr. Balfour to withdraw his coercion apparatus, an accusation—may it be said?—dishonouring only to the man who made it.

*Why Coercion practically ceased under the Unionist Government?*—Coercion ceased because no special machinery was any longer needed to enforce obedience to the law.

*In what sense is the Coercion Act permanent?*—The Coercion Act, which in firm hands worked these wonders, is fortunately permanent, but only in the sense that it remains on the statute-book ready to be put into operation by proclamation, subject to the control of Parliament, when and where a manifest state of abnormal lawlessness calls for it; and in view of the agitations invariably raised to prevent the renewal of former Acts, and the pressure brought to bear on the Government of the day, it is well that it is thus permanent.

*The Irish Judges' Report in 1887 and 1891.*—Perhaps the most vivid contrast between the state of Ireland in 1887 and in 1891 is presented by the reports of the Irish judges in these years.

In the early months of 1887 they reported Clare, Mayo, Kerry, Cork, and Galway as counties where lawlessness reigned supreme, in terms of which the following may be taken as a fair sample.

On March 10, 1887, Mr. Justice O'Brien—a judge placed

on the bench by Mr. Gladstone—addressed the Grand Jury of the County Kerry as follows:—

“These returns present a picture of the County of Kerry such as could hardly be found in any country that has passed the confines of natural society, and entered on the duties and relations and acknowledged obligations of civilised life. The law is defeated—perhaps I should rather say has ceased to exist—houses are attacked by night and by day, even the midnight terror yielding to the noonday audacity of crime: person and life are assailed; the terrified inmates are wholly unable to do anything to protect themselves, and a state of terror and lawlessness prevails everywhere.”<sup>1</sup>

Whereas the following gives the opinion of the Irish judges in 1891, as taken from a letter, towards the end of July 1891, of the Dublin correspondent of the *Manchester Guardian*—a Home Ruler of the most pronounced type:—

“Ireland is profoundly quiet. The Assizes are just over practically. Everywhere the judges have had to congratulate the country upon the absolute peace and good order reigning throughout the land. Political terrorism is over. The sensible and industrious people are asserting themselves at last. For years, in fact, Ireland has not been so healthily quiet and composed.”

## II.—FURTHER IMPROVEMENT OF TENANT RIGHTS.

But the services of the Unionist Government to the peasantry of Ireland did not end in the restoration of law and order. The Irish peasantry live by tilling the soil, and it was therefore of the utmost importance to secure that they should have every reasonable assistance in getting a fair return for their labour. Already before 1886 the legal rights of Irishmen in the land they occupied were to be envied. Call as witnesses the occupiers of land in any other part of the civilised world, and they must all admit that their privileges are vastly inferior to those of the Irishman of 1886.

But four things still remained to be done, and the Unionist Government lost no time in doing them by the Land Law Amendment Act of 1887:—

1. *Leaseholders' rents may be revised.*
2. *Rent already judicially fixed may be varied.*
3. *Eviction threatened for non-payment of debt other than rent may be stayed, and over-due rent may be ordered to be paid by instalments.*
4. *Fair rent made to date from time of application.*

<sup>1</sup> *Freeman's Journal*, March 11, 1887.

1. *Leaseholders' rents revised* (Secs. 1 and 2).—Leaseholders were debarred from the privileges of "fair rent" under Mr. Gladstone's Act of 1881, but those whose leases would expire within ninety-nine years of the passing of this Act of 1887 were by it permitted to enter court and have the amount of rent payable by them judicially adjusted in accordance with the fall in prices.

This benefited 130,000 tenants excluded by Mr. Gladstone.

2. *Rent already judicially fixed may be varied* (Sec. 29).—Yearly tenants who had got "fair rents" fixed between 1881 and 1885 found themselves in 1887 in a tight corner owing to the fall in prices, and they were given the privilege of having their rents again adjusted in accordance with the difference in prices between those years and 1887, 1888, and 1889.

For the year 1887 this relaxation amounted to £360,000.

3. *Eviction threatened for non-payment of debt other than rent may be stayed, and over-due rent may be ordered to be paid by instalments* (Sec. 30).—Though yearly tenants enjoyed fixity of tenure, in a question with their landlords under the Act of 1881 so long as the rent was duly paid, yet through misfortune the rent often got unavoidably into arrear, and also as the result of proceedings for the recovery of debts other than rent, they might still find themselves evicted. By this section the court before which proceedings are taken for the recovery of *any* debt due by any tenant whose valuation for rating purposes does not exceed £50 (*i.e.*, 94 per cent. of the whole Irish tenantry), is given a very large discretion, and can in deserving cases stay eviction for such time as, under all the circumstances, seems reasonable; and can also, if rent is unavoidably over-due, give the opportunity of payment by instalments at suitable intervals of time.

During the first fifteen months of the operation of this provision 3254 tenants, who would otherwise have been evicted at once, got periods ranging from one to five years in which to make payment.

4. *Fair rent made to date from time of application* (Sec. 5).—Tenants might apply to the Land Court for a "fair rent," but it might take a long time before their applications could be heard and determined, and meantime the old rent had to be paid in full until the new one was fixed, and there was no refund. By this section a fair rent dates back to the time of application, and any excess paid while the application is pending must be refunded by the landlord.

*American tenants might envy Irish tenants.*—Even an Irish-American would have to admit that under the constitution of the United States he is barred from the enjoyment of privileges such as these.

### III.—A PRACTICAL SCHEME FOR AMELIORATION OF CONGESTED DISTRICTS.

But there were large tracts in the West of Ireland where, owing to—

- (a) The poverty of the soil,
- (b) The fickleness of the climate, and
- (c) The overcrowding of the population,

the people led a most miserable existence, able to do little more year after year than keep soul and body together. The first serious attempt to deal with this problem was made in the year 1891 by Mr. Balfour, who had gone and seen for himself what was required, with the result that the construction of thirteen lines of railway was begun there, and these congested districts were placed under the charge of the Congested Districts Board, with *a million and a half* of money at its disposal for the benefit of the people.

The poor peasants in these parts then began to work with fresh hope and life and energy, because they saw before them, as the result of honourable labour, the prospect of something better than bare existence.

The first Annual Report of the Congested Districts Board details its operations from 15th August 1891 to 31st December 1892. It is signed by Mr. Morley and the other members, and is a splendid testimony to the statesmanship of Mr. Balfour. A careful perusal of it will well repay the reader. When so many thousands are being benefited it is difficult to select an illustration of the Board's operations, but let the following suffice:—

“The Congested Districts Board, in their endeavours to develop the fisheries on the west coast of Ireland, were enabled, in May 1892, to report a most gratifying and promising first result of their labours. They had engaged a number of Arklow boats to undertake the mackerel fishery, and had made the necessary provision of an ice hulk and other appliances. Arrangements were also made with steamboat and railway companies to convey the fish when caught as quickly as possible to the English markets. The mackerel were rather long in coming, owing, it is supposed, to the coldness of the season, but they eventually made their appearance; and on the 6th of April six thousand five hundred prime fish—the first Galway mackerel ever imported to an English market—were sent to London. In addition to these arrangements, a Norwegian has been engaged to instruct the natives in the art of fish-curing. The people are working hard, and seem to be delighted at the novelty of finding a market for their fish.”

The Report teems with similar illustrations.

## IV. LAND PURCHASE.

*What is the principle of the Land Purchase Acts.*—The policy of affording facilities for land purchase was given effect to in the Gladstonian Acts of 1870 and 1881, but, as Sir George Trevelyan pointed out on 27th May 1884, these efforts were not remarkably successful, for only 870 tenants took advantage of the purchase clauses of the 1870 Act, and under the Act of 1881 only 430 tenants became owners.

The experiment was first seriously tried by the Conservative Ashbourne Act of 1885, and by it £5,000,000 were allocated for land purchase. The experiment was entirely successful. More than the sum allocated was applied for, and by the 1888 Act another sum of £5,000,000 was allocated in the same manner; this was again attended with so much success that, as at 31st March 1891, the total number of purchasers was 14,657, of whom no fewer than 11,665 were purchasers of holdings under £30, and the Unionist Government resolved largely to extend the policy, and provide a system for wholly settling the Irish Land Question.

This was done by the Land Purchase Act of 1891, which, by a judicious use of British credit, without the slightest contribution from or real risk to the British taxpayer, enables a willing tenant to purchase the land he occupies from a willing landlord.

*The Nature of the Scheme.*—How does it work? Take, for example, a holding of which the rent is £108, £8 representing the landlord's share of local rates. The advance is exclusive of the landlord's proportion of local rates. The net rent is £100. Suppose the rent is fixed at seventeen years' purchase—*i.e.*, £1700—the Land Commission at once makes a "vesting order," from the date of which the tenant is proprietor, subject only to paying interest at the rate of 4 per cent. to the State for forty-nine years. The tenant will thus, subject to a special provision for the first five years, pay £68 a year for forty-nine years, instead of £100 a year for ever. The landlord will receive his £1700 in Government stock, bearing interest at  $2\frac{1}{2}$  per cent., but of which the principal is not payable for thirty years. He may, if he likes, exchange this stock for consols. The tenant will be glad to pay the State 4 per cent., which is a large reduction for him, and have his farm for nothing fifty years hence. The landlord will take a safe income of  $2\frac{1}{2}$  per cent. now, and money down thirty years hence. There remains  $1\frac{1}{2}$  per cent. £1 per cent. is put aside to accumulate as a sinking fund, from which the State will pay the landlord at the agreed-on time. The remaining fourth is utilised for a purpose we shall soon explain, and forms the "county percentage," when the advance

does not exceed three-fourths of the price. Where the advance does not exceed three-fourths of the price, the tenant's annuity is £3, 17s. 6d., and the county percentage 2s. 6d. If things go right the State simply acts as go-between and banker, and the seller is paid by the purchaser's contribution judiciously managed. The secret of the whole scheme is found in the words, "British credit" and "fifty years."

But suppose things go wrong,—suppose the tenant-purchasers can't or won't pay, what safeguards are there? This brings us to

*The Guarantees.*—There are a series of substantial guarantees for the security of the transaction, which are of three kinds.

#### A.—PARTICULAR SAFEGUARDS.

1. *The Guarantee Deposit.*—As in the Ashbourne Acts, where the advance exceeds three-fourths of the purchase-moneys, the State retains in its hands to meet contingencies, until the whole thing is carried through, a portion of the money due to the landlord.

2. *The Purchaser's Insurance Money.*—Take the case already cited where the normal annuity would be £68. It is provided that for the first five years the tenant shall pay 80 per cent. of the old rent, which, of course, would be £80. He gets the benefit of this afterwards in any case, but the difference between the £68 and the £80 is to be accumulated as a fund to meet periods of special distress, in which, through misfortune and no fault of his own, the tenant may be unable to pay the whole of the annuity. The £60 thus accumulated in five years will be only £8 less than a whole year's annuity. Should this insurance fund be drawn upon, it will be liable to be replaced by a return to the annuity at the rate of 80 per cent. of the old rental. There is a special provision for extending the period of the higher payment in the interests of tenants desiring to purchase.

#### B.—THE CASH GUARANTEES.

3. *The Irish Share of the Probate Duty*, which is estimated at £200,000 a year.

4. *The General Reserve Fund.*—This is to be provided by the accumulation for five years of £40,000, contributed from the Exchequer, and representing the Irish share of the licence duties handed over to the relief of local taxation. This will give a general reserve fund of £200,000, and the future £40,000 a year will be available if needed.

5. *The County Percentage.*—This is the odd 5s. (or 2s. 6d.) per £100 previously mentioned, which, when not required to meet



deficiencies, will be given to the localities in aid of local rates, and for the special purpose of providing labourers' cottages.

These are all distinct cash guarantees, provided out of money already received by the State, or by the skilful financial administration of Mr. Goschen out of national revenues, without a penny of additional taxation, and forming new grants to Irish local purposes from the Imperial Exchequer. There are in addition

#### C.—THE CONTINGENT GUARANTEES.

6. *The rates on Government property in Ireland.*

7. *The existing Imperial contributions to local purposes, such as the Poor Law, Education, &c., in Ireland.*

The Grand Juries are, if necessary, by *compulsory assessment*, to raise from the county *sums equal to the amount paid on behalf of a county* from the contingent fund.

*The whole amount limited.*—The total amount which can possibly be advanced at any one time is limited in proportion to the share of each county in the Guarantee Fund.

The whole amount involved is estimated at a capital value of £33,000,000. It has been represented that the British taxpayers—"every one of them"—are responsible for this possible £33,000,000. The statement is absurd. The advances are limited to an amount which the State has in its own hands the means of repaying. In addition to, and available before, the securities which cover the £33,000,000, there are the guarantee deposit, the purchaser's insurance, and the accumulated general reserve of £200,000. If there should be any failure, the person who fails to pay has himself insured against it. If that is not sufficient, the State falls back upon money in its own hands. The Imperial Government does not demand money from Ireland; it will simply cease to give. It just buttons its pocket. It has not to recover a debt, but only to set off against it the funds it actually holds. To use another illustration, it has not to go and draw water from a well, but only to shut the tap at its own cistern.

*Small Holdings.*—There are special provisions securing that the funds available shall be proportionately applied so as to secure the interests of tenants of less than £50 of rental.

*What were the objections.*—The objections stated against this policy were of the most frivolous character, but a few of those most frequently doing duty may be noticed:—

- (a.) *That the granting of such facilities was contrary to pledge.*
- (b.) *That such facilities were unnecessary.*



- (c.) *That the instalments would not be repaid; and*
- (d.) *That the real aim of the scheme was to put money into the pockets of Tory magnates.*

(a.) *That the granting of such facilities was contrary to pledge.*

It was said that when the Unionist Government were seeking office they pledged themselves not to engage British credit for the purchase of Irish land.

This was a most unjust charge. What the Unionists did say was that they would be no parties to a Bill for the purchase of Irish land such as Mr. Gladstone had brought in, which among other little peculiarities—

1. Compelled every tenant to buy whether willing or not.
2. Enabled all landlords *at once* to call on the State to buy their land.
3. Involved a capital value of at least £150,000,000.
4. Interposed no guarantee or safeguard between the Irish tenant and the pocket of the British taxpayer.
5. Was dependent for success upon the willingness of a Parnellite Government “to extract the instalments from their victorious followers and hand it over to the hated British Government for payment to permanent absentees in Britain.”

And this pledge they kept.

(b.) *That such facilities were unnecessary.*

*Mr. Campbell-Bannerman thought Irish tenants well enough off without such facilities.*—Mr. Campbell-Bannerman was one of Mr. Gladstone's Chief Secretaries for Ireland, and during his rule there, succeeded in earning for himself the reputation of being one of the most heartily detested Irish Secretaries of recent times. The dislike seems to have been mutual, for on the 18th December 1890 he thus spoke to his constituents at Culross regarding Mr. Balfour's Land Purchase Bill:—

“On the whole it appears to me that, as the mass of the tenants of land in Ireland have fixity of tenure, and a rent fixed by a judicial tribunal, which can be readjusted every fifteen years, I really do not see that we have very much need to go further in their favour, especially as it involves serious risk both financially and politically to this country.”

And yet six years ago Mr. Campbell-Bannerman was a member of a Government which proposed to devote £150,000,000 to Irish land purchase.

*Irish opinion on the subject.*—This was not the opinion of Sir

Charles Duffy, who wrote thus to Archbishop Croke regarding Mr. Balfour's Land Purchase and Congested Districts Bill:—

“For my part I am persuaded that if a native Prime Minister submitted to an Irish Parliament in its first session a Bill framed on the same lines, it would be received with an outburst of national enthusiasm. The measure aims to turn the Irish tenant into an Irish proprietor without subjecting him to a single unfair or burdensome condition. Now, is it possible to get anything better than this from any legislature till the crack of doom?”

*But who is Sir Charles Duffy?*—Accept a testimonial from the *Freeman's Journal* of 23rd October 1890:—

“Anything coming from his mouth carries a weight and importance which no Irishman is likely to minimise.”

And no wonder, for though Sir Charles Duffy was then resident in the colonies he was an old Irish patriot.

(c.) *That the instalments would not be repaid.*<sup>1</sup>

Our Gladstonian friends simulated a fear that the instalments would not be regularly paid, and that trouble would be caused in Ireland by consequent appropriation of the cash guarantees. How timid they can be when occasion serves! As business men they could have found a perfectly satisfactory assurance in the fact that under the two experimental Ashbourne Acts the instalments had been paid with most exemplary regularity. From the passing of the Act to the 1st May 1891, £639,388 had fallen due in respect of interest and instalments, of which amount £120,595 represented the May gale. The total amount of arrears unpaid on 21st August 1891 was £7510, and these arrears were within a year reduced to £4056. With the exception of £730 these arrears were in respect of the half-yearly instalments which fell due on 1st May 1891. And apart from this there was:—

1. The sentimental interest of the new owner. He would not have the bait of getting the land before him; he would have got it already. He would be like a prosperous householder in a Scotch town who had built his house on land bought with borrowed money, which he was paying off year by year.

2. The substantial interest of the new owner. There never were men who were offered such benefits, not only at no cost, but at positive present advantage to themselves.

<sup>1</sup> Repayment under the Act of 1891 has only begun, but of the £20,000 which had fallen due in November 1893, only about £320 remained unpaid at the end of that year.

3. The consequence to the new owner of an unsuccessful attempt at repudiation. It would be most serious for those who tried it against the whole power of the State, and were beaten. It would mean not only eviction from a tenancy, but forfeiture of an estate. It would also mean the loss of the tenant-right, already belonging to the tenant in virtue of previous Land Acts, which often sells for more than the value of the landlord's fee-simple. For tenancies or properties held on such terms there would be no difficulty in finding other applicants.

(d.) *That the real aim of the scheme was to put money into the pockets of Tory magnates.*

*A keen financier on rapacity.*—Mr. Seymour Keay, M.P. for Moray and Nairn, wrote a pamphlet in which he sought to prove to the electors of this country that the Irish peasant farmer would be a sufferer by this measure, and that the object of the Act was really to enable Tory magnates to dispose of their unsaleable estates at prices which could never otherwise have been realised by pledging all the resources of the British taxpayer as security therefor.

*But how did this matter really stand?*—Landlordism had long been denounced by Irishmen as the curse of their country. Unless landlords are to be robbed they must, in giving up their land, receive a fair value. Take an illustration. It is said that under the Ashbourne Act "the Duke of Abercorn walked off with £260,000 swag." Well, in the first place, he left the land behind him, the property now of those who had been his tenants; and, in the second place, his income is reduced from a rental of £13,000 to £9880, while those who were formerly his tenants now pay yearly instalments (which terminate altogether at the end of forty-nine years) amounting to £10,400 instead of their former rental of £13,000. The landlord who sells at seventeen years' purchase of the rent (the average price) will generally have in future an income of at most £68 for every £100 of rent he has hitherto got, but he is satisfied with this reduced income because there is no trouble in its collection. The tenant becomes the owner of his land, and pays less each year than his old rent, and after forty-nine years pays nothing at all. No tenant is compelled to buy. If he assents to too high a price the Land Commission will protect him.

Mr. Seymour Keay's scent for rapacity was too keen. It is pathetic to find the principle of the Ashbourne Act "sighed for by the Land League, welcomed by the Home Rule party, patronised by Mr. Parnell, blessed by Mr. Biggar," pronounced worthy of national enthusiasm by Sir Charles Duffy, "and glorified by Archbishop Walsh"—denounced by Mr. Seymour Keay.

On this point let us rather accept the word of Mr. T. M. Healy:—

“I have nothing but praise and commendation for the admirable manner in which the Commissioners under the Ashbourne Act have steered an even keel between the landlords and the tenants.”<sup>1</sup>

*Alleged Failure of Land Purchase Act, 1891.*—Much was said in the early months of 1892 as to an alleged failure of this last Land Purchase scheme, because landlords and tenants had not rushed to grasp the millions allocated.

The points in reply were:—

1. The Act only came into operation in August 1891.
2. The Irish Land Commission, which administers the money, had to be completely reorganised.
3. A complete set of new rules had to be framed.
4. There was a similar early complaint as to the failure of the Ashbourne Act of 1885, which is now admitted by every one to have been thoroughly successful.
5. There was a considerable remainder of the money granted under the Ashbourne Acts to be disposed of, and this was fully taken advantage of before applications were made under the new Act, which is not yet so well understood and appreciated by buyers and sellers. On the 22nd August 1891 public notice was given that no further applications would be received under the Ashbourne Acts after 26th August 1891, and in these five days applications amounting to £223,835 were received, and this, of course, absorbed the demand of the market for some time.
6. The Tenants' Insurance Fund before described had been misunderstood. It did not, as was imagined, provide for the default of another tenant in another part of the country, but was a fund entirely for that tenant's own protection and benefit in future rainy days.
7. The low price of consols compelled this country to charge rather more for the loans for the purchase of land than it otherwise would.
8. It was objected that Government refused landlords the option of taking consols instead of land stock; but, as a matter of fact, land stock is more valuable than consols, and has just as good a market, because it can be exchanged for consols at any time.
9. Mr. Dillon, Mr. Davitt, and other leaders counselled the tenants not to buy under this Act, and led them to believe that if they held back till Mr. Gladstone got into office they would obtain their holdings on much easier terms and perhaps for nothing.

<sup>1</sup> *Freeman's Journal*, June 1886.

10. In spite of all these difficulties this last Act was, when applications could no longer be made under the Ashbourne Acts, more fruitful in operations of land purchase than these former Acts were at any moment of their existence.

Up to the 31st December 1891 there had been only 175 applications under the 1891 Act, but during the first six months of 1892 there were no fewer than 1691 such applications.<sup>1</sup>

*Proposed amendments of Land Purchase Act, 1891.*—The Irish members, during the session of 1892, made two attempts to amend the Purchase Act of 1891.

On the 29th March 1892 they moved in the House of Commons that tenants in Ireland should be enabled to compel their landlords to sell. This motion was based on an allegation (quite unfounded, as shown above) that the Act was not working satisfactorily; and further, the motion made no allusion to any adequate financial plan. The motion did not receive the support of the Opposition leaders, and was ignominiously defeated by 177 to 86 votes.

On the following day came on the second reading of the Anti-Parnellite Bill—(1) to enable tenants to purchase their holdings without reference to the insurance clause; (2) to extend the time given for landlords and tenants evicted under the Land League and the Plan of Campaign coming to an agreement; and (3) to grant £100,000 out of the Church Fund to assist such tenants in purchasing their holdings.

It was argued (1) that the tenants' insurance clause was not only a security for the State, but also a powerful incentive to thrift in the tenant; (2) that to give the evicted tenants further time would only prejudice them by delaying a final settlement; and (3) that to give them a present of £100,000 would be a grievous injustice to other tenants.

These arguments prevailed, and the Bill was rejected by 220 to 144 votes.

## V. RESCUE FROM FAMINE.

Another sad opportunity of doing service to Ireland arose owing to a serious failure in the potato crop, which threatened starvation to many thousands during the winter 1890–91.

*Irish patriots boasted, but did nothing.*—The danger was so imminent that Mr. Michael Davitt thought famine would cut down his countrymen by hundreds. Now was the time for the Irish patriots to show the depth of their love for their suffering countrymen. But they only got the length of boasting. Mr. Dillon and Mr. O'Brien, then among the American Irish—so

<sup>1</sup> Up to 30th November 1893, 5207 applications for loans under the 1891 Act had been made to the amount of £1,708,185.

liberal with money to buy pills (lead without opium) for British patients—drew a contrast before admiring thousands between Mr. Balfour and themselves—Mr. Balfour would “starve out” the famine-stricken population, but they would do all that was required to avert the national calamity.

*Unionist Government said nothing, but did everything.*—Fortunately Ireland was not cursed with Home Rule, for, as a matter of fact, they did nothing, and Mr. Balfour did everything. Relief works of permanent value were started—new roads, paths, landing-places, sea-walls, fencing, and draining. The fifteen light railways, having altogether a length of 284 miles, planned a year before (in spite of the British Radical intrigue exposed by Mr. Parnell at Tralee on 18th January 1891, and not since denied, see *Handy Notes*, 1891, page 18), were hurried on in the teeth of Nationalist obstruction, and gave employment to 7000 men, who were supplied with food and lodging, so that their wages might go to the support of their families. The Guardians were empowered to borrow money (without interest) for purchasing seed potatoes to be sold to the poorest tenants at cost price, repayment being made by instalment. The prospect of distress arising from the failure of the last crop was thus averted, and the loans have been promptly repaid.

*Mr. Balfour's Relief Works.*—A return issued to Parliament gave details of the relief works undertaken in 1890 and 1891 under Mr. Balfour's Act. The return shows that in 24 unions of 9 counties 161 works were undertaken, and that the sum of £160,570 was expended. Four-fifths of the amount went for wages.

County.	Unions.	No. of Works.	Wages.	Supervision and Material.	Totals.
Donegal . . . .	2	8	£7,864	£1,249	£9,113
Clare . . . .	1	3	315	73	388
Kerry . . . .	1	2	255	134	389
Cavan . . . .	1	1	269	101	370
Sligo . . . .	2	3	1,002	730	1,732
Galway . . . .	4	37	45,647	10,090	55,737
Cork . . . .	5	24	22,842	5,155	27,997
Mayo . . . .	8	83	50,304	14,540	64,844
	24	161	£128,498	£32,072	£160,570

“In addition to the sum of £160,570 shown on this return, expenditure was incurred on the hire of steamers for service on the west coast of Ireland, for the purchase of land and forestry operations thereon at Knockboy, County Galway, for the services of Royal Engineer officers and county surveyors, for inspectors and



others employed under the Land Commission and Local Government Board in connection with the administration of the Seed Potato Supply Acts, and extra cost of works on railways attributable to relief operations.”<sup>1</sup>

Stupendous as these undertakings were, their benefits would not have come home to the widow, the orphan, the sick, or the aged, and so a fund of over £50,000 was raised by Lord Zetland and Mr. Balfour, by which weekly supplies of meal were given to over 10,000 persons; school children received daily food, and clothing was supplied to those who needed it.

*Famine averted.*—The result was that all danger of famine was averted; no single case of starvation was recorded; 127,580 men, women, and children were saved from misery and distress; everything was done in the most business-like and economical manner, and for the first time in Irish history without mismanagement and waste, all through the instrumentality of the man whom Mr. Morley ungenerously attacked at Newcastle for golfing while the Irish were starving.

*Mr. Morley.*—Of all men Mr. Morley ought to have been silent at such a time, for in a similar emergency he, instead of making the people work for wages, foolishly handed over a large grant of money to the Poor Law Guardians of Connaught, which was recklessly squandered in a few weeks, with the result that the distress was greater than ever, and the unions were almost bankrupt.

*Mr. Balfour rewarded.*—Doubtless high honours await Mr. Balfour in the future, but he can never receive a higher honour or a richer reward than when in the winter of 1890 as he journeyed in rough weather through the wild West in an open car, accompanied by his sister, and unattended by any escort, he was hailed as Ireland's greatest benefactor; and when later on, as Lady Zetland and Miss Balfour journeyed through the counties of Mayo and Galway, they were welcomed all along the route, and at more than one village met by the community, with the parish priest at their head, who in the name of the people said, “For long Mr. Balfour was misrepresented to us, but now we know him by his works, and we say ‘God bless Balfour.’”

*Unionist Programme for Ireland in 1892.*—At the opening of Parliament in 1892 the Queen announced the intention of her Ministers to ask Parliament to consider—

1. Proposals for applying to Ireland the general principles affecting local government which have already been adapted to Great Britain.

2. A Bill for extending the advantages of assisted education

<sup>1</sup> Parliamentary Papers, No. 85, Session 1892.



to Ireland, and for other purposes connected with elementary education in that country; and

3. A scheme for modifying the existing system of procedure on Private Bills so far as it affects Ireland.

But Her Majesty's Ministers had opponents who thought of nothing but party advantage.

*The "Mot D'Ordre" for 1892:—*

"The Liberal party ought next session to make a stand against any further legislation by the present Parliament. An amendment should be moved to the Address, praying Her Majesty to consult at once the electorate. Every vote on account should be hotly contested, and all Parliamentary machinery should be brought into force in order to hinder legislation. The obstruction should be open and avowed."<sup>1</sup>

And in spite of the earnestness of the Unionist Government this policy of obstruction was largely successful.

*Local Government Bill.*—On the 24th May 1892 the Unionist Government carried by the magnificent majority of 92 the second reading of a Bill giving to Ireland a complete system of local self-government, on the same suffrage as England and Scotland enjoy, and applying substantially to the same affairs, but owing to the near approach of a general election, and the amount of opposition with which the Bill was confronted, it became evident that there was no hope of passing it in that Parliament, and the Bill was accordingly withdrawn on the 13th June. Under it the Irish local councils would have been elected in the same way, and would have exercised the same powers as the Scottish and English councils, and, indeed, the Irish system would have been more complete, for district councils would have been established under the name of Baronial Councils. The body of electors would have been the same, and there would have been the same freedom of choice in the election of councillors. It was said by the opponents of the Bill that it gave only the shadow of local self-government, and was in reality a mockery; but such statements had no foundation in fact. There was nothing shadowy or unreal about the powers given to Irish County and Baronial Councils. The powers were not only real, but there was no restraint or interference in the exercise of them. The Irish councillors would have been just as untrammelled as are Scottish or English councillors.

But there were three peculiarities about Ireland which had to be kept in view, and the Government Bill suggested one method of dealing with each of these, but they were mere suggestions; and if in the course of debate other suggestions had

<sup>1</sup> Mr. H. Labouchere, M.P., *Truth*, October 15, 1891.

been found to be of greater practical value they could have been readily ingrafted on the Bill.

(1.) During the last ten years, as Mr. T. W. Russell pointed out, ten Boards of Guardians had to be suppressed, partly by Mr. Gladstone's Government, and partly by Lord Salisbury's Government. In each case the reason for suppression was misconduct of a grave character. No Local Government Bill would therefore have been complete which did not provide for the removal of councils determined to misconduct themselves, and for the substitution of others in their places. The Government Bill suggested that the power of removal should be exercised by the judges, and there was something to be said in favour of the publicity which the adoption of that suggestion would have secured, but probably a happier method would have been to leave that power in the hands of a strengthened Local Government Board.

(2.) Illiterate electors were in Ireland astonishingly numerous, and it was strongly suspected that the priests had a high standard of education by which the members of their flock were tested before they were permitted to pass in to the polling-booth as persons requiring no assistance to record their votes. The priests take much interest in illiterates. The priest who is their pastor gains the support of their wives and daughters; another priest escorts them to the entrance of the polling-booth; inside they are met by a third priest, who is present at the marking of the vote. The Sunday before an election threats are hurled from the altar against those who vote otherwise than as the priest thinks proper. The Sunday after an election those who have dared to disobey are excommunicated. The following is an extract from the report which was sent to the *Star*, a Gladstonian newspaper, by a reporter specially charged to send an account of the Kilkenny election in December 1890. He says:—

“At Ballyragget, voters as they came up to the station were taken into the priest's house for the last word of good counsel. At Johnstown the priest was in the booth. All over the division priests acted as personation agents. At Gowran each of the three personation agents was in a black frock. In the electoral history of the world there is registered no device to compare with this. Voters found the priests so all-pervading that some of them must have believed a ballot-box itself to be an ecclesiastical appurtenance with a priest inside.”

This was clearly a matter requiring careful consideration, because it was no light matter to entrust the property of people to a mass of voters of this kind. Over 100,000 illiterate voters polled in 1885. The suggestion of the Government Bill was not disfranchisement, as was largely believed. An illiterate

would have got his paper like any one else, but he would have had no aid in the polling-booth. No priest would have been at his elbow, and it was confidently expected that if this suggestion had become law the number of illiterates would have been found to have very largely and very rapidly decreased. The difficulty was that aid in the polling-booth would still have been afforded at Parliamentary elections. But again, the Government proposal was only tentative.

(3.) The Government was anxious that minorities should have some little representation, and they suggested the adoption of the cumulative vote, which, though an imperfect, is the only presently known method of securing this object. The Protestant minorities in the South were so very small that even this suggestion would have given them little benefit, but it would undoubtedly have given the Roman Catholic minorities in the North a much more powerful voice than they would otherwise have had.

*Education Bill.*—In Scotland and England the State—apart from any relief in the matter of fees—contributed two-fifths of the cost of education, while the State contribution to Ireland was already about four-fifths of the cost, and it seemed very appropriate that when the Government was proposing to leave illiterates without help in the polling-booth, it should take means to make the burden of education easier for them.

Their Education Bill, successfully passed through Parliament in 1892, will be an immense boon to the Irish people. During its passage through Parliament the great bone of contention was as to the position of the Christian Brothers, who had not been able to comply with the rules of the National Education Commissioners, and who, unless these rules were altered, could not share in the benefits about to be conferred on education in Ireland. Mr. Jackson, the Irish Secretary, undertook that the National Education Commissioners would reconsider the question whether the schools of the Christian Brothers should not be enabled to participate in the grant if they were prepared to accept a conscience clause making it clear that no religious instruction other than that on which the parents agreed should be given within the period of secular instruction. Upon this undertaking the principal opposition to the Bill was withdrawn, and it passed rapidly through the various stages. The *Constitutional Year Book* for 1893 (p. 231) gives the following summary of its provisions:—

In every municipal borough or town in Ireland, or in every barony to which the Act may afterwards be applied, the parents or guardians of all children between six and fourteen years of age will under this Act be obliged to cause the children to attend school for 75 times in every half-year, unless there is a reasonable excuse for non-attendance.

Children over eleven are exempted from compulsory attendance if they have received a fourth-class certificate of proficiency in reading, writing, and arithmetic.

The causes which constitute a reasonable excuse for non-attendance are defined in the Act, and include distance of more than two miles from school, sickness, domestic necessity, and urgent harvesting or fishery operations.

The employment of children under eleven is prohibited, and also between eleven and fourteen unless they have obtained a certificate as above-mentioned, or unless the child comes within the "reasonable excuse" in regard to distance.

The formation of school-attendance committees is directed, and powers are given them to enforce the compulsory clauses through the medium of the courts of summary jurisdiction.

The Commissioners of National Education are empowered to acquire land, by compulsion if necessary, for the purposes of school-houses or teachers' residences, under the provisions of the Irish Public Health Act, 1878.

An annual grant of £210,000 is provided for in aid of elementary education, and is to be applied, firstly, towards increasing by 20 per cent. the salaries of teachers; secondly, in granting bonuses to teachers of five years' standing; thirdly, towards the salaries of teachers in very small schools; and fourthly, the residue as a capitation grant in proportion to the average number of children in daily attendance.

In any school receiving aid from this grant where the average rate of fees was not more than six shillings a year for each child in average attendance, no school fee is to be charged after October 1st, 1892, for any child; and in any school receiving the same aid where the fees exceeded that amount, the fees to be charged in future are not to be higher than the amount of the excess.

The Act thus practically establishes free education in Ireland, and introduces for the first time the principle of compulsory attendance in that country.

*Private Bill Procedure Bill.*—This Bill applied both to Scotland and Ireland, but from the first it was evident that the Nationalist members would have none of it. Obstructive tactics prevented its getting further than a first reading, and a reformation much needed both in Scotland and Ireland has thus been indefinitely delayed.

*Ireland required that the Unionist Government should have another Lease of Power.*—And such was the opinion expressed by the majority of the electors of Great Britain at the General Election of 1892; but the Irish priesthood willed it otherwise, and it now remains to be seen to what extent the good work, much of which was only set agoing, will be retarded or perhaps ruined by the fresh outbreak of the Home Rule controversy which has followed the advent of the Gladstonians to power.

## CHAPTER XII.

### IRELAND UNDER A SEPARATIST GOVERNMENT.

APART from the great question of Home Rule (which is fully dealt with in another chapter), the subjects of greatest interest to the student of contemporary Irish history are:—

- I. THE EXTENT OF AGRARIAN CRIME.
- II. AMNESTY.
- III. THE EVICTED TENANTS' COMMISSION.
- IV. MR. MORLEY'S LOSS OF REPUTATION.

#### I. THE EXTENT OF AGRARIAN CRIME.

Ireland came nominally under the rule of a Separatist Government on the 22nd August 1892, though, as Mr. A. J. Balfour has well remarked, the moral influence of a firm Administration ceased to be operative some six weeks earlier, when the course of the General Election made it manifest that the days of the Unionist Government were numbered.

The change of Government at once removed many impediments which for the previous six years had made the administration of the law in the sister isle difficult. The man who had advised the Irish people to "hate the law" was now Prime Minister. Those who had openly and unblushingly laboured to carry this precept into practical operation, and render government by the ordinary law impossible, were his chosen friends, his political allies, the men into whose ears he whispered the great Home Rule secret deliberately withheld from the British public. For the previous six years the watchword had been, "Provoke conflicts with the ministers of justice, defy the arm of the law, let chaos prevail." Now, on the contrary, the watchword is, "Let peace and order prevail." The men who used to go about inciting to intimidation, boycotting, and the like, are now using their influence to prevent anything that might embarrass Mr. Morley. Incitement to non-payment of rent—the great weapon in the hands of the Irish agitators—is, for the time being, laid aside. Political exigencies required a change of watchword. A fine piece of acting was witnessed

on the 27th March 1893, when the Irish Secretary (Mr. John Morley), in his place in the House of Commons, asked, with well-simulated indignation, "Is it criminal to advise the people to pay rents and to keep order?" No one knows better than Mr. Morley that that excellent advice will be withdrawn the moment the Nationalists have got all they can get from the Separatist leaders. Any diminution in the statistics of crime is not due to a restored love for law and order, but to a belief that just now honesty and obedience to the law are the cards to play. This is great self-sacrifice, but the Nationalists look forward to a day of recompense, when Home Rule will enable them to tax Ulster and plunder the landlords. Meanwhile, on the surface things seem to go well, more especially as the Irish harvest of 1893 has proved most bountiful, and Ireland is thereby blessed with an amount of material prosperity which she has not enjoyed since 1876-77; but even after the poor harvest of 1892, the Irish Secretary was able to boast in the debate on the Address in February 1893, that in no period of recent Irish history had rents been better paid. The economic difficulties of the year had been great; the season had been bad; but these are not the considerations that regulate payment or non-payment of rent. The all-important question is, What is the best political game? So things move merrily along like wedding-bells—nearly, not quite, for, as we shall shortly see, those who keep their fingers on the throttle-valve of crime cannot always close it when or to the extent they may desire. The surface-character of any alleged reduction of agrarian crime may be well illustrated by the fact that on 8th November 1893 Mr. Morley was able to announce that during the period from 23rd August 1892 to October 1893 the number of recorded agrarian outrages was 438, while during the equal period which preceded, during the time of the late Unionist Government, the number was 534, showing a decrease of 96; but, then, let us look a little deeper, and take cases of moonlighting, a species of outrage the existence of which more than any other indicates a state of disturbance. From August 22, 1891, to June 30, 1892, under the late Government, there were in the whole of Ireland 39 such cases, of which 28 were returned as agrarian and 11 as non-agrarian offences. During a corresponding period under Mr. Morley—viz., from August 22, 1892, to June 30, 1893—there were 84 cases, of which 37 were agrarian and 47 non-agrarian crimes. In the same periods there were in the four disturbed counties of Cork, Kerry, Clare, and Limerick, under the late Government 28 cases, under Mr. Morley there were 74.

Take cases of intimidation, in which are included many instances of firing shots at the person and into houses, to which



in any other country but Ireland a very different name would be given. In the six months ending June 30, 1893, there were 35 cases, in 17 of which firearms were used; while in the corresponding period, under the late Government, terminating 30th June 1892, there were 20 cases, in 10 of which firearms were used.

To maintain comparative quiet in Ireland Mr. Morley has to pay a price, and it must be galling to this unhappy victim of policy that he has to pay it at the expense of the loyalists, and generally the old, the poor, and the helpless. A very little examination reveals the unhealthy condition of political life in Ireland. The Nationalist members rejoiced at the narrowness of the majority which the General Election gave Mr. Gladstone, for they thus became masters of the situation. Without their votes the Separatist Government would have been in a minority of 41 (since increased to 45). The following apt illustration of the evil plight of the Gladstonian Government was given by the *Scotsman* on 22nd December 1893:—

“An Irish Education Act was passed in 1892 providing, among other things, for the establishment of compulsory education, and the provision should come in force on the 1st of January. But a defect has been found in the Act which stands in the way of the appointment of Attendance Committees, and a short amending Act is required, the passing of which should be a mere formality. Mr. Sexton has, however, informed the Government that he and his friends will oppose such a measure unless the Government will admit the schools of the Christian Brothers to the benefit of the State grants for education. The grants are withheld because the Brothers insist upon the display of Roman Catholic emblems in their schools. They will not remove these signs of denominationalism and means of influencing the minds of children, and though the giving of the grant in these circumstances would be a breach of the principles which guide the State both in Ireland and in Great Britain, the Nationalists and the priests have determined to make the Government surrender. That is the position at present, and so the Government dare not bring forward an amending Act because of Mr. Sexton's opposition; and Ireland, with its host of illiterates, must still go without compulsory education. The excuse given by the Government is that there is no time for further contentious business. Here is a measure which is urgently required. It is not properly contentious, because it is only intended to give effect to a provision which has already passed both Houses of Parliament. Unionists would not oppose it. There is no reason why the British Gladstonians should oppose it. Nothing stands in its way but the vexatious obstruction of Mr. Sexton, who does not oppose it because he objects to the measure itself, but because he and the priests want to



force the hands of the Government on another question. Why does not the Government bring in the Bill and pass it in the teeth of clerical obstruction? The answer is obvious. It is in the hands of an Irish party which can say to it, 'If you do this, out you go to-morrow.'"

So they are all-powerful, and make no secret of the fact that whatever they dictate must be granted to them by this unfortunate Government, subject always to the elasticity of "the Nonconformist conscience."

Naturally enough the first Nationalist command was that there should be an end of Coercion.

### "THE CRIMES ACT MUST BE SUSPENDED."

Step by step Mr. Balfour's firm administration had enabled him practically to free the greater part of Ireland from the operation of proclamations under the Crimes Act, and nothing remained which was not absolutely necessary; but Mr. Morley proceeded to obey the Nationalist order with a light heart, taking no thought of those whose lives and property were thereby put in jeopardy. "Coercion" so stunk in the nostrils of the Nationalists that Mr. Morley dared not delay. He thereby deliberately threw away machinery for the detection and fair trial of alleged offenders which is in every-day use in Scotland. But what of that? The Nationalists made it clear that either "Coercion" or the Separatist Government must disappear, and so Mr. Morley issued the two necessary proclamations with indecent haste on 14th September 1892, without waiting till he could consult the responsible officers of justice, or otherwise acquaint himself with the condition of Ireland and the likely consequences of his proposed action. Thereupon the Crimes Act ceased for the time being to be operative in Ireland, though it still remains on the statute-book, ready to be put into operation by proclamation (subject to the control of Parliament) whenever necessity arises.

*Who can derive any benefit from Mr. Morley's abject surrender?*  
No honest, law-abiding man or woman; for

### WHAT HAS MR. MORLEY DONE?

In the first of his two proclamations, Mr. Morley has revoked a proclamation of Mr. Balfour's, bearing date June 13, 1891; in the second, he has revoked another of much longer standing, which was dated August 19, 1887. That is all and everything that he has done.

What, then, were these two proclamations of Mr. Balfour?

Mr. Balfour's first proclamation, taking them in the order in which Mr. Morley has revoked them, declared that the provisions of Section 1, sub-section 3 of Section 2, and Sections 3 and 4 of the Crimes Act should be in force in proclaimed districts. In other words, it made three sections and part of a fourth of that Act of Parliament operative in some parts of Ireland.

Mr. Balfour's second proclamation was the older one of 1887, under which the Irish National League was declared to be a dangerous association. Like the former, this proclamation has also been revoked.

What, then, were the clauses or sections of the Crimes Act which Mr. Balfour put in force in certain districts, and the operation of which Mr. Morley has now suspended? That is surely the question; and it is, we fancy, better for the public to know that than to read any quantity of vapouring about coercion in the abstract.

#### WHAT IS SECTION 1 OF THE CRIMES ACT?

It is a clause taken bodily from the present law of Scotland, *where it is now in force*, and it provides for a preliminary inquiry upon oath when a crime has been committed, but before any individual is charged with its commission. It was by the operation of such a preliminary inquiry under one of Mr. Gladstone's Coercion Acts, and that alone, that the Phoenix Park murderers were caught. Mr. Morley defends his action by saying that these secret inquiries seldom resulted in convictions. Suppose there had never been but one such conviction, the clause is justified. Suppose it had never led to even one conviction in the past, why deprive the future of its possible assistance? Mr. Morley's defence is dishonest, for he knows well that there never was a secret inquiry held under this clause when the police did not find out all about the guilty parties, and when men did not leave the country because they were afraid of the result of the secret inquiry. In the House of Commons, on 1st June 1893, Mr. Arnold Forster told Mr. Morley that the chief constables at Ennis or Tralee could tell the right honourable gentleman the names of 300 men known to be concerned in crime, who had been compelled to leave their counties because these secret inquiries had been set on foot, and were having their effect, and because the place was becoming too warm for them; and further, from a Parliamentary return, issued in June 1893, on the motion of Mr. T. W. Russell, it appears that in the three counties of Clare, Kerry, and Limerick there were in all eleven secret inquiries held under the Crimes Act of 1887, and that in seven cases out of the eleven, success-

ful prosecutions followed. Mr. Morley may sneer at the secret inquiry as valueless; those who ordered him to abolish it knew differently.

### WHAT IS SUB-SECTION 3 OF SECTION 2?

Sub-section 3 of Section 2 is that part of the Act which provides that any person "taking part in any riot or unlawful assembly" may be tried without a jury before a summary court of jurisdiction. English and Scottish rioters are tried in that way, but in Ireland alone it is coercion. This is now suspended.

It should be explained that Section 2 of the Crimes Act provides for the trial of certain cases before a magistrate's court. Six sub-sections name the offences which may be so tried. These offences are as follows:—

- (1.) Taking part in a criminal conspiracy.
- (2.) Using violence or intimidation.
- (3.) Taking part in any riot or unlawful assembly.
- (4.) Taking forcible possession of premises from which one has been evicted.
- (5.) Assaulting or obstructing officers of the law.
- (6.) Inciting any one to commit these offences in 1, 2, 3, 4, and 5.

It will be a good plan to measure Mr. Morley's great achievement and the crowing of his party, by knowledge of the fact that out of these six sub-sections his great work has been only to suspend number 3, which has certainly not been the one most denounced by his own party.

### WHAT IS SECTION 3?

Section 3 provides that where the Crown thought it advisable they might apply for a special jury. This is now also suspended in Ireland, *but in Scotland* there are five special jurors on every jury.

### WHAT IS SECTION 4?

It provides for the change of venue by the Attorney-General, in case he thinks a fair trial cannot be had in the county in which a crime was committed. This is now suspended; but in Scotland the Lord Advocate has this power, and the Lord Advocate is, as we all know, the Scottish Attorney-General.

### AND WHAT WAS THE NATURAL RESULT OF THIS REVOCATION?

Let us take the answer from Mr. Justice O'Brien—universally admitted to be one of the best appointments ever made by Mr.

Gladstone. In the course of his address in closing the Spring Criminal Assizes for the county of Clare on 1st March 1893, he said :—

“I refrained from making any allusion to certain matters dealing with the administration of the law in this county when speaking to the Grand Jury, because I did not wish in any degree to anticipate what might happen, or be supposed to wish to influence the result of the legal proceedings here, but I consider it my duty now to draw the attention of those who are charged with the maintenance of the law and the preservation of life and property and all civil society, to the result of the present assizes, which is, that no kind of security any longer exists for property, for the person, or life, so far as it depends on the law in the county of Clare. Seven cases have been tried before me, representing an infinitesimal part of the crime that has been committed, and with the uniform result that the law has entirely failed to bring the offenders to justice, in spite of every means that vigilance and care and zeal could use to attain that result. Every kind of argument and appeal has been made to the jurors, made with zeal and earnestness by the Court itself, to their reason, to their consciences, to their sense of self-respect and of the common interests of the whole community, to their sense of moral obligations, if such a thing remains, and without the least result. I do not know of myself what is really the cause of, or what has led to, that state of things. I could hardly suppose the population of this county, or the class from which jurors are taken, are devoid altogether of moral sense, of integrity or propriety, and they are certainly not devoid of intelligence, as an explanation of what happened, and I am constrained to arrive at the conclusion that it is owing to a certain system of intimidation, degenerating every single relation and the whole framework of society in this county, and directed to defeat the administration of the law. It has reached the jury-box, it has reached the witness-box, it has reached this Court, and here, with open audacity, machinery for the object of false evidence has been exhibited in my own presence, and I understand, and I have reason to know, that even outside means are in use to defeat the result of the law. Even when the law has succeeded, means have been taken by arrangement and by organisation for the payment of fines inflicted for violation of the law, to prevent success attending it. In mercy to the jury themselves, to those men who, as I have seen in this Court, stand between terrorism and their consciences, although they have exhibited, to their humiliation, their violation of their duty and of their oaths—in mercy, then, to that class, and for the sake of security of property and life in this county, which are not any longer secure, some means must be found, and I trust will be found, to remove the administration of the criminal law entirely out of this county.”

League is an entirely Parnellite body, the new National Federation being the corresponding Anti-Parnellite organisation. Mr. Morley has made this concession to the Parnellites at a time when Mr. Davitt, Mr. Dillon, Mr. O'Brien, Canon Doyle of Ramsgrange, and Englishmen like Mr. G. W. E. Russell, M.P. for North Beds, are declaring that the Parnellites are dangerous, and mean to go in for trouble and crime.

Mr. Morley has thus permitted the National League to raise its head. Again it is passing boycotting resolutions, and again it is denouncing land-grabbers. Again its courts sit regularly, hear cases of what they are pleased to call hardship, impose penalties upon those who offend, and if these are not paid, execute judgment upon the defaulters.

By the revocation of the various proclamations under the Crimes Act one item of the Nationalist programme was accomplished, and agrarian crime was made easy to commit, difficult to detect, and almost impossible to punish.

## II. AMNESTY.<sup>1</sup>

There languished in British and Irish gaols many noble warriors who, by the use of powerful explosives and other deeds of blood, had sought to make Ireland a nation. To obtain an amnesty for them formed another and a most vital item in the Nationalist programme. Cautious Justin M'Carthy thought the time inopportune yet, to make any formal wholesale demand of this kind: the "Nonconformist conscience" had to be thought of. More outspoken John Redmound was prepared to make the formal demand. Mr. Gladstone was quite equal to the situation. He had appointed as his Chief Secretary for Ireland Mr. Morley, whose opinions on the amnesty question were well known and acceptable to the Nationalists. Indeed, when he went to Ireland in the year 1888 with Lord Ripon, he received in Dublin a public ovation greater than any king or monarch ever received in the capital of Ireland, and right well did Mr. Morley deserve such an ovation, for on the occasion of that visit (2nd February 1888) he spoke the following remarkable words in the Leinster Hall:—

"I want to ask a question. The French amnestied the Communards, who were guilty of most atrocious crimes against their country. The Americans amnestied the Secessionist rebels, who were guilty of an atrocious crime against the Government. Are the only people in the world for whom there is to be no amnesty, no act of oblivion, to be Irishmen, whose only

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<sup>1</sup> The *Times* of 8th November 1892 gives full particulars of the crimes, convictions, and sentences of the "political prisoners."

fault has been that they have used their talents for the benefit of their countrymen—(Opposition laughter)—and who have done the best they could to raise up the miserable and oppressed and downtrodden people of their country? That is no longer the mind, in spite of what eminent men may say, or the intention of the people of Great Britain. We are here to-night, Lord Ripon and I, to assure you that at least one great party is anxious for an amnesty, and an act of oblivion on your side and ours both."

The meaning of these words was and is clear enough to Irishmen. Mr. J. Redmond gave them a place of honour on the back of his interesting pamphlet, "The Case for Amnesty;" and speaking at Kells on 8th January 1893, Mr. J. Redmond, alluding to the dynamite convicts, said:—

"I don't scruple to say that I believe if it rested absolutely with Mr. Morley alone that these men would be released. (Hear, hear.) But Mr. Morley has behind him a weak and rotten party, and the only power which could possibly bring that weak and rotten party to consent to the release of these men would be the feeling that Nationalist Irishmen were united in this demand, and that they would insist upon having their demand granted."—*Irish Daily Independent*, January 9, 1893.

When allusion was made in the House of Commons on 2nd February 1893 to this speech, Mr. Morley made the astounding explanation, that in speaking these words he made no reference to the dynamitards. As to this explanation, two thoughts suggest themselves—(1) it has never been followed up by any credible statement as to whom he did refer or could refer; true, Mr. Morley explains that he referred to the Irish nation (as if the whole body of the people needed an amnesty), but this explanation hardly comes under the description "credible;" and (2) if Mr. Morley had in the Leinster Hall, at the time the speech was delivered, explained that he excluded all dynamitards, he would have received no such enthusiastic ovation as was accorded to him in the belief that he and Lord Ripon had just pledged themselves to be the friends-at-Court of the dynamitards. In making his defence on this occasion in the House of Commons, Mr. Morley referred to a letter of later date which he had sent to his constituents in connection with the General Election in July 1892, and the following portion of that letter was quoted by Mr. J. Redmond in the House of Commons on 9th February 1893:—

"You ask me whether I will aid the movement for the release of the men now undergoing penal servitude for the dynamite conspiracy some ten years ago. I recognise the temperate spirit in which you argue the case, and I note your



straightforward declaration that you and your friends have no palliation for dynamite, and that you regard it as the detestable resort of political lunacy. I regret that I cannot agree with you in thinking it of vital importance that the question should be raised now. 'The detestable resort of political lunacy,' as you truly call it, is a mode of warfare not only barbarous in itself and deserving of stern punishment, but is also most inimical to the strenuous efforts that we are at this moment making to bring the old system of Irish government completely to an end. When we have succeeded in these efforts, then will be the time to consider whether the British Government would not be well advised, as incidental to that momentous settlement of international accounts, to show the same spirit of clemency towards these prisoners as was shown, for example, by the Government of the French Republic towards the exiled Communists. Such, at least, is my judgment, and I beg you to convey it to your friends."

Again two thoughts occur—(1) that no one expected Mr. Morley to be so foolish as to repeat in 1892 to his constituents in England (even though they included an Irish contingent) the sentiments required to elicit an immense ovation from a great meeting in Ireland in 1888; and (2) that even this letter leaves him a pretty free hand in dealing with dynamite convicts.

Knowing what was expected of him, Mr. Morley, on Friday, 23rd December 1892, set at liberty in Dublin the four prisoners known as

*The Maryborough or Gweedore Prisoners,*

who in October 1889 had been sentenced (Coll, after conviction by a jury, to ten years', Roarty, Rogers, and M'Gee, on their own confession, to seven, seven, and five years' penal servitude respectively) for complicity in the murder of Inspector Martin. When challenged as to this exercise of the royal prerogative of mercy, Mr. Morley, in his place in the House of Commons on 2nd February 1893, explained that one of the reasons for the release of the convicts had been the doubt and difficulty as to the identity of the particular spots and the degree of the participation in the stone-throwing. This unhappy Irish Secretary had either apparently overlooked the fact that three of them had been sentenced on their own confession, and the fourth upon the clearest possible evidence, or thought that their counsel had wrongly advised them to plead "Guilty." Counsel have since declared that they gave no such advice, and that the prisoners acted on their own responsibility; but even had they given the advice, the Attorney-General for Ireland (The Mac-



Dermot, Q.C.) and Mr Healy (who were the counsel) were hardly the men to suggest that innocent men should plead "Guilty." In sentencing the prisoners, the judge was exceedingly careful to discriminate the varying shades of guilt; yet curiously enough the Irish Secretary caused them all to be released together. The Irish Secretary had no need to consider the cases at all minutely, for after the trials had taken place he had been going about the country denouncing the results as tainted. It was in this judicial frame of mind that he came to the consideration of the merits of the cases when he took over charge of the Irish Office. The murder of Inspector Martin was atrocious. There was a warrant out against Father M'Fadden for not answering to a summons against him on a charge under the Crimes Act. Father M'Fadden had by organising his parishioners deliberately evaded the police week-day after week-day, and indeed had boasted that if he was arrested there would be bloodshed in Gweedore. In fact, it came to this, that he must either be arrested on a Sunday or not at all, and on Sunday, 3rd February 1889, Inspector Martin and a body of police endeavoured to effect the arrest. When Father M'Fadden issued from his chapel Martin laid his hand on him, whereupon Martin and the police with him were at once attacked by a large crowd of persons who had gathered for the priest's protection. Martin was struck down, and while on the ground the crowd beat him to death as he lay helpless with sticks and with stones, the attack being continued even after his death. He was simply battered and bludgeoned to death in the most brutal manner. Coll was one of those seen throwing a stone upon the prostrate defenceless head of Martin. The judge told Coll he was lucky to have saved his neck. Yet now Coll is at large—thanks to the urgency of the political situation. In respect of the release of these four men, Mr. Morley has been charged with an improper exercise of the royal prerogative of mercy, and the charge is unanswered and unanswerable.

As already mentioned, these four men were released on Friday, 23rd December 1892, and on the following day this message of conciliation was answered by a mysterious dynamite outrage at the very walls of Dublin Castle. Naturally enough, there was a temporary cessation in carrying out the amnesty policy, but Parliament was to meet in the end of January 1893, and the Government would then become liable to awkward situations unless the amnesty-craving was further gratified. Indeed, Mr. John Redmond had given notice of his intention to move an amendment to the Address in reply to the Queen's Speech, in favour of amnesty; and it was known that amnesty meetings were to be held over Ireland on Sunday, 22nd January 1893. Curiously enough,

*James Egan, the Dynamiter,*

was discharged from Portland on Saturday, 21st January 1893. The public will judge whether this was a happy coincidence, or the result of careful arrangement. As to the justice of the release of Egan, and also of Callan, Mr. Gladstone, in reply to Mr. A. J. Balfour, assured the House of Commons that their release was no part of a policy of amnesty, and that assurance was, as to Callan and Egan, accepted by the Unionist leaders, accompanied by a statement that but for the previous declarations and recent acts of prominent members of Mr. Gladstone's Government, which had given much ground for the suspicion which had taken hold of the public mind, that they were perfectly prepared to buy political support by recommending the extension of the royal clemency to criminals, no Minister of the Crown would ever have been asked for such an assurance.

Mr. Gladstone's assurance was followed up on the 9th February 1893 by the memorable declaration of the Home Secretary (Mr. Asquith) in reply to Mr. J. Redmond's amendment to the Address in reply to the Queen's Speech, in favour of amnesty :—

“For my part (and this is the last word I can say to the House on the subject), I say it both with reference to the past, and, if need be, with reference to the future, that persons who resort to this mode of warfare against society, who use dynamite as their instrument, and who proceed in their methods with a reckless disregard for the lives and the safety of the weak, the innocent, and the helpless, are persons who deserve and will receive no consideration or indulgence from any British Government.”

These were noble words, but how astonished the Nationalists must have been to hear them fall from Mr. Asquith's lips. They remembered the meeting of the Huddersfield Liberal Association on the 24th March 1888, when the late Mr. W. Summers, M.P., was in the chair, and the principal speakers were Mr. Asquith and Mr. T. D. Sullivan. There was a printed programme for the occasion, and one of the items was Mr. T. D. Sullivan's song, “God Save Ireland” *in extenso*. While this song was being sung, the whole meeting—Mr. Asquith included—stood in honour of the sentiments expressed. History does not relate whether Mr. Asquith joined in the singing, but he stood up in honour of the sentiment. The song is well known :—

“High upon the gallows tree  
Swung the noble-hearted three,” &c., &c.

*i.e.*, Allen, Larkin, and O'Brien, who murdered Serjeant Brett at Manchester during the Fenian outrage of 1867.

The attitudes of 1888 and 1893 are not consistent. The British public can stand a good deal, but scarcely a Home Secretary prepared to glorify the murderers of a policeman. It is quite certain Mr. Asquith in his attitude of 1893 will never receive an ovation in Dublin. But Mr. Morley has apparently not given up hope of a second ovation. The Nationalists may perhaps think he is doing as well as his "rotten party" (Nationalist quotation) will permit. At any rate, he has given back to them the Gweedore prisoners, and on 21st March 1893 he gave them

*Mr. John Foley,*

who in March 1891 had been sentenced to seven years' penal servitude for having in his possession an explosive for an unlawful purpose. This action of Foley's was only one of a series of attempts which had been made to carry apprehension, intimidation, and, if necessary, terror among the peaceful and innocent inhabitants of Tipperary. Mr. Morley was asked (27th March 1893) in the House of Commons whether the judge who tried the case had been consulted, and he was compelled to answer that the judge had, in consideration of the subsequent pacification of that district, the comparative youth of the prisoner, and the fact that he was his mother's only support, recommended that the sentence should be reduced from seven to five years. How that recommendation led to his release after the lapse of two years from the date of sentence Mr. Morley was unable to explain.

Altogether, one rises from a study of this branch of administration with the uncomfortable feeling that had the Separatist Government a working majority independent of the Nationalists, the Gweedore prisoners and Mr. John Foley would still have been (and deservedly) labouring as convicts. The Home Secretary in England flatters British feeling and keeps the prison door tightly locked; while the Irish Secretary opens the door now and then, having received a plain warning that if he does not do this the friends of the prisoners will take the keys from him.

### III. THE EVICTED TENANTS COMMISSION.

On the 14th October 1892 Mr. Morley appointed a "Small Commission" to gather information as to the Evicted Tenants in Ireland.

*Who are the Evicted Tenants?*

None other than the wounded soldiers of the Plan of Campaign who fell fighting in the Nationalist cause.

*And what was the Plan of Campaign?*

It has been already described (see p. 127); but take the charge of Chief Baron Palles (one of the greatest of Irish lawyers, against whom the wildest of Nationalists has never ventured to say a word) to the jury in the case of Blunt and Byrne:—

“I have heard, gentlemen, as I have already said, with surprise, the assertion that to the present time there has been no legal decision as to the legality of the Plan of Campaign. Let that not be said for the future. It is my duty to tell you that, in my opinion, a combination for the purpose of carrying out what is called in that paper the Plan of Campaign is essentially an illegal association; that any meeting for the purpose of promoting it is in law an illegal assembly; that the Crown or any magistrate has the power to disperse any meeting called for the purpose, and that when a magistrate has notice of such a meeting it is his duty to do all that in him lies to prevent, or, if necessary, to disperse it. For that purpose [*i.e.*, the purpose of review in the Court of Exchequer] I state now, deliberately and without any reservation, that the Plan of Campaign is against the law of this realm, and that any one taking part in it, aiding it, promoting it, calling a meeting for the purpose of supporting it, is guilty of an offence for which he may be made criminally responsible.”

Take also the evidence of some of its promoters and their friends:—

Mr. John Deasy, M.P., at Ballyhaunis, 14th November 1887:—

“He put it to the wretched tenants around Ballyhaunis what would they suffer if evicted for adopting the Plan of Campaign? Would they not be better off with 30s. or £2 a week with their hands in their pockets amusing themselves instead of living in miserable cabins, delving and digging as at present for the benefit of the landlords.”—*Freeman*, 15th November 1887.

Mr. John Dillon, M.P., at Murroe, Co. Limerick, 21st November 1887:—

“He (Mr. Dillon) referred to the action of Lord Clanricarde’s tenants at Woodford, and said the tenants there evicted had the lightest hearts in Ireland, as they knew perfectly well they would be reinstated before long, for the entire tenantry on the estate had struck as one man against the landlord and adopted the policy laid down by the League.”—*Freeman*, 22nd November 1887.

A meeting was held at Drumleigh, Co. Longford, on 21st November 1887. Mr. Peter M'Donald, M.P., then High-Sheriff of Dublin, stated :—

“He was authorised by the National League to state that the tenants who followed the lines laid down for them would be paid far more than they could make by the profits of their labours on their farms.”

Mr. Kilbride (now M.P.), one of Lord Lansdowne's evicted tenants, speaking at the National League, Dublin, on March 29, 1887, said :—

“The Luggacurran evictions differed from most of the other evictions to this extent, that *they were able to pay the rent*, it was a fight of intelligence against intelligence, it was diamond cut diamond.”

It will be recollected that it was in the interest of these tenants “who were well able to pay” that Mr. O'Brien took his famous trip to Canada to “hunt out of that free land” Lord Lansdowne, the Governor-General.

Mr. John Dillon, M.P., at Glenbeigh, 23rd January 1887 :—

“I challenge Mr. Roe to come and face me in the County Mayo or in Tipperary.” (Cheers.)

A Voice—“Or in Kerry.” (Cheers.)

Mr. Dillon—“*I will show him—(renewed cheers)—aye, or in certain parts of Kerry either—I will show Mr. Roe, if he has any stomach for such work, men who can pay and won't pay, because I tell them not to pay. (Loud cheers.) I will show him men who avow that they can pay and refuse to pay because they are in the Plan of Campaign. (Cheers.) I challenge Mr. Roe to come and face me in Mayo, Tipperary, or North Kerry, and I will teach him a lesson there that will last him all his life.*”—*Freeman*, 24th January 1887.

The *Daily News*, in a leading article on 6th December 1886, declared :—

“We by no means approve of Mr. Dillon's policy. His ‘plan of campaign’ seems to be vitiated with dishonesty. To withhold just rents because exorbitant demands are made is to take trouble to be in the wrong. The scheme which our special correspondent describes is one which attempts to cure a grievance of the tenants by inflicting a grievance on the landlords. It is doing injustice as a protest against injustice.”

This policy of Mr. Dillon's, “vitiated with dishonesty,” denounced by Mr. Morley's official organ, is responsible for 1700 evicted tenants, on whose behalf the “Small Commission” is mainly appointed.

If we wanted confirmation we might quote Mr. Dillon's speech at Eyrecourt, reported in the *Freeman's Journal* of November 29, 1886, where he said:—

“What is this Plan? If any man, after he has paid his money to the trustees, goes behind his neighbour's back and *pays his rent*, what will happen to him? The trustees will close upon his money, and use it for the benefit of those who stand out, and *he will have the pleasure of paying two years' rent within one year.*”

This showed that Mr. Dillon knew that there were men on the estate capable of paying two years' rent in one. What, then, becomes of the plea of poverty and dire distress? But perhaps Mr. O'Brien's statement at Inchiquin on December 5, 1886, is the most damaging of all to his own reputation:—

“There is nothing in all my life that has touched me more than the way in which these thousands (?) of poor western farmers scraped together the amounts of their deposits, many of them to my own knowledge by *begging and borrowing it*, and the absolute and unquestioning confidence with which they handed over their little store to a man like myself, a stranger to them, whose worldly goods are all comprised in two portmanteaus!”

What are we to think of this man, who, on his own confession, took away their little stores from these poor western farmers and locked it up in the War Chest, promising that not one of them should suffer the loss of a single farthing, and that all should be supported in comfort, but who is now unable to give any account of the money or to provide for the men who were duped into eviction?

#### *Mr. Harrington and the Evicted.*

Speaking at Navan in support of Mr. Pierce Mahony on Sunday, 19th February 1893, Mr. T. Harrington said:—

“When the Government got into power last July and August, and when we met them in the English House of Commons, we made a demand upon them that they should then and there settle down to consider the most pressing claim upon the Irish people—the claim of these unfortunate tenants who had been evicted during the Land War in Ireland, and as I know much of the circumstances under which these men have been evicted, *I tell you there are hundreds of men evicted in Ireland who might have kept their homes up to the present time if it had not been for the advice and solicitation addressed to them by some of the men who are voting with the Liberal Government to-day.*”



For the most part the evicted tenants on whose behalf public sympathy is demanded are men who withheld their rents from their landlords at the bidding of either the old Land League or the authors of the more recent Plan of Campaign. This plan was adopted, not on the estates where the tenants were in most distress, but on those whose owners were thought most likely to succumb. The Plan of Campaign was a criminal conspiracy invented for a political purpose; and when Mr. Balfour's firm hand choked the conspiracy, there were left upon the hands of the Irish agitators a large number of their unfortunate dupes, deprived by their advice, both of all they had acquired, and also of the opportunity of acquiring more. In fact, as was humorously suggested by Mr. T. W. Russell and Mr. A. J. Balfour, the Evicted Tenants' Commission was a small commission for finding out some way of inducing Messrs. John Bull & Co. to relieve Messrs. Dillon, O'Brien, and their English partners (the members of the Separatist Government), from a debt which their domestic troubles made it impossible for them to discharge by payment out of the proper source—the Campaign Fund.

All this was, of course, well known to Mr. Morley, who therefore very wisely, in drawing up directions for his "Small Commission," omitted to insert a direction for any inquiry as to the circumstances and causes which had led to the evictions, and particularly as to the following points:—

(a) If the eviction took place before the passing of the Land Act of 1881—

Did the tenant apply for and obtain compensation for the disturbance and for his improvements under the Land Act of 1870? If not, why not?

(b) If the eviction took place subsequent to the passing of the Land Act of 1881—

Did the tenant apply to the Court to fix a judicial rent for his holding, and in the meantime to restrain the eviction proceedings? If not, why not?

Did he apply for and obtain the benefits of the Arrears of Rent Act of 1882? If so, with what result? If not, why not?

Did he within six months after eviction sell his tenancy? If not, why not?

Did he apply to the Court (under the Land Act of 1887) to put a stay upon the eviction and to permit him to pay his arrears of rent and the costs by such instalments as the Court might appoint? If so, with what result? If not, why not?

If any such inquiry had been directed and impartially conducted, there could have been no hope of a dole from the Imperial Exchequer for the wounded soldiers. Mr. Morley knew perfectly well that the Separatist Government was



doomed unless something was done. Alas! he remembered only too well what had taken place when the Separatists were in opposition in 1892.

### MR. O'KELLY'S RELIEF BILL.

On March 2, 1892, Mr. J. J. O'Kelly, M.P., brought in a Bill to Reinstate the Evicted Tenants and Evict all the New Tenants without Compensation.

The Bill (1) Extended the time of operation of Section 13 of the Act of 1891 to the end of the year 1892.

(2) The compulsory reinstatement of the old tenants as purchasers by the Land Commissioners; the latter fixing the new rent and amount of purchase money.

(3) The Land Commission to issue an order to the Sheriff of the County to evict the present tenant.

Sir George Trevelyan and Mr. Shaw-Lefevre both spoke in favour of the measure, and Mr. Gladstone, Mr. Morley, and Sir William Harcourt voted for the Bill. An Irish Nationalist is reported to have expressed himself thus when the Bill was thrown out—"We've lost the Bill, but we've bagged the Front Bench." From this position "there is no retreat without dishonour," wrote the London correspondent of the *Independent* in his comments on the action of the Gladstonian party regarding the Bill. In March 1892 Mr. Morley knew enough about the evicted tenants to be sure that Mr. O'Kelly's Bill was right. Now Mr. Morley appointed a "Small Commission," to do what? To find out the facts he *knew* in March and did not know in October.

As a matter of fact, wanting time to look about him, he appointed this Commission, which the Irish members, who keep him in power, have declared to be a sham.

### *Nationalists Consider Evicted Tenants' Commission a Sham.*

For instance, Mr. T. Harrington, speaking at Navan, in support of Mr. Pierce Mahony, on Sunday, 19th February 1893, is reported to have said:—

"The Government, instead of holding an autumn session, instead of legislating for the evicted tenants or *making some proposals which would be bringing the landlords to their knees*, and enabling them to settle with these unfortunate tenants, *issued an inquiry—a sham inquiry, because there was nothing to inquire into, and no information has been given.* (Hear,

hear.) I know the political situation thoroughly, I know the difficulties thoroughly, and I have no hesitation in giving you my word that during this session of Parliament no measure of relief for the evicted tenants will be introduced if we, the nine men who represent Independence, cannot *get the Government into a hole, and force their hand*. (Cheers.) The time may come when they will require our assistance. They know we are not bound to their chariot wheels, and if the opportunity turns up for us to show our strength and show them their weakness, they'll have to pause in their legislation for the masses in England, they'll have to turn their attention to the poor tenants in Ireland, and have to introduce some measures that will relieve them from the desperate fate that is before them."—*Independent*, 20th February 1893.

*Unionists agree with Nationalists that that Commission was a Sham.*

The labours of the Commission have been thus summarised by Mr. T. W. Russell:—

"There is not one fact in the Report of the Commission which was not in the possession of the Government before the Commission sat. What is new in it is not true, and what is old in it was in possession of the Government before Sir James Mathew went to Dublin."

*But how could this Commission be made Palatable to the British Public?*

Mr. Morley ingeniously suggested a method which he straight-way adopted, heedless of its dishonesty. He called to mind the 13th Section of the Unionist Land Purchase Act of 1891, which provides as follows:—

"(1.) Where the tenancy of a holding has been determined since the 1st day of May 1879, and the former landlord or his successor in title is in occupation of the holding, it shall be lawful for the former landlord or his successor in title within six months of the passing of this Act to enter into an agreement under the Land Purchase Act or the said Acts as amended by this Act for the sale of the holding to the former tenant or his personal representatives. (2.) An advance for such purpose may be made by the Land Commission in the same manner and subject to the same conditions as if the purchaser was at the date of the agreement in possession of the holding as tenant, and thereupon all the provisions of the Land Purchase Acts as amended by this Act shall apply to such agreement and advance. (3.) If the Land Commission are of opinion that the holding would be sufficient security for the advance but for its having become

temporarily deteriorated in value, they may make the advance upon the purchaser providing such security as they may deem sufficient to meet any risk arising from such temporary deterioration."

And alleging the failure of this clause, he directed his Commission to report what means should be adopted to give effect to that policy. At this point several questions arise.

(1.) *Why was this 13th Section not more Operative for Good?*

The Bill became law on 28th July 1891, and the evicted tenants had six months, until end of January 1892, to avail themselves of this and come to terms. Many tenants began to come to terms. The Ponsonby tenants came with a rush. On that estate 103 settlements were made. Every effort was made by the agitators to prevent the tenants taking advantage of the section. The subsidies were stopped to those Ponsonby tenants who had arranged, or attempted to arrange, settlements. Mr. John Dillon, the moment he got out of "Galway Hospital," stalked the length and breadth of Ireland to denounce all Land Purchase transactions. Speaking at Dungarvan, in October 1891, Mr. Dillon declared:—

"My advice to the farmers of Ireland is this—*be very slow to purchase your farms*, or to have anything to do with the Land Act until after the General Election. (Cheers.) . . . Trust to your own exertions in your own localities. *Abstain from taking those farms, and do not purchase at present.* The Purchase Act will keep, and after the General Election we will go over the list of the Land Commissioners and see what we can do. (Cheers.)"—*United Ireland*, 24th October 1891.

(2.) *Did the Policy of this 13th Section at all Resemble the Policy forced upon Mr. Morley by his Nationalist Masters?*

Not in the very least. Section 13 only contemplated the cases of tenants who could make an arrangement with their landlords—the promotion of peace without injustice. There was no forcing upon the tenants a return to their holdings, nor upon the landlords a reinstatement of tenants who refused to agree on conciliatory terms. There was to be no reinstatement as tenant at all. It was simply a provision by which an evicted tenant, if his landlord was willing, might purchase his holding under that Act just as if he had been an occupant—a provision beneficent to the ex-tenant and to the landlord, and unjust to no one. But the Commission was asked to devise means by which all evicted tenants might be reinstated. Mr. Morley

must have felt the difference; for in his place in the House of Commons, on 2nd February 1893, and again on 13th March 1893, he quoted thus from Mr. Balfour the principles on which he (Mr. Morley) professed to act:—

“The hon. member was quite right in saying I started from Section 13—that in appointing this Commission, in drawing the instructions to the Commission, and in the hopes that I anticipated from the work of the Commission, I had in mind what took place in the House upon Section 13. The right hon. gentleman opposite used this kind of language. He said in a passage which all of us who were in the House at that time will always remember—he first of all, in tones of passionate vehemence, declared that if he were an Irish landlord he would rather beg his bread than give in to the Plan of Campaign. The right hon. gentleman, standing at this box, had no sooner said that than he added these words. He said that when the illegal conspiracy came to an end he should remember that these men were compelled by intimidation, in many cases, to follow courses which they regretted. (Opposition cheers.) That may be; but the right hon. gentleman went on to say, ‘And for my own part, if I were an Irish landlord, even if it were not wholly to my own personal and pecuniary interest, I should desire to restore peace to that part of the country in which my property was situated, and to see that on fair, equitable, and even generous terms, the tenants were restored to their ancient homes.’” (Opposition cheers.)

When Mr. Morley sat down on 13th March 1893, Mr. Balfour at once rose and made the following effective reply:—

“I should not have intervened, at any rate so early in this debate, had not the right hon. gentleman apparently founded his whole policy upon certain speeches which I made in this House, and the legislative proposals to which I gave my assent. I said that, were I an Irish landlord and the Plan of Campaign came to an end, I would do my best to obliterate the traces of ancient bitterness. Those were my sentiments two years ago; I hold them to this hour. But does he see no difference between recommending a man to give up certain feelings for the peace of his neighbourhood and forcing down the throat of that man some arrangement which may be grossly unjust. (Cheers.) I am prepared to recommend generosity, but not to compel it at the expense of somebody else—(cheers)—and the right hon. gentleman, if he gives quiet thought to it, will see that my advice had justification in it. I may say one word about this Section 13, upon which so much has been based by the Government. The right hon. gentleman seems to find in that section a precedent for any action, however monstrous, in which a tenant, however dishonest, might be forced back upon a landlord, however iniquitous. (Cheers.) There is no argument of that kind

to be found in it. If Section 13 was an advantage to one of the two classes concerned, it was to the landlord rather than to the tenant, because it said to the landlord, If you choose to take back your tenant, you may do so on terms which will enable you to dispose of your land, and which will enable a contract of purchase between you to be carried out; and therefore landlords and tenants might well have come together. The section cannot be twisted into any precedent for forcing upon landlords tenants whom they will be unwilling to receive. If the landlord was of opinion that the tenant was unfit, he need not have taken him back; but, under the present proposals, every tenant is to have an equal and equivalent right to take a farm from the landlord—(cheers)—and the money from the taxpayer.” (Renewed cheers.)

Baldly stated, therefore, the Commission was told to devise means to save from starvation the dupes of the Nationalist agitators, because otherwise, the key of the Nationalist chest not being available, advances would have to be made out of the pockets of their Separatist allies in Britain.

*Who were the Members of the Commission?*

Then came the question of the tribunal. It would need to have an impartial appearance, and yet be thoroughly well affected to the Nationalist cause. So Mr. Morley borrowed, without authority, the services of an English judge known to be an extreme Home Ruler, and professing strong sympathy with the Nationalist cause—Mr. Justice Mathew, and appointed him President of the Commission. Then came Mr. Murphy, a very able public servant and a Unionist. There ended the appearance of impartiality. The other members were Mr. O'Brien, an official of the Land Commission, a strong Home Ruler, an associate of Michael Davitt, and one of Mr. Morley's confidential friends and correspondents since 1886; Mr. Reddington, a Galway landlord, a Commissioner of National Education, a Home Ruler who stood in relation to the Irish landlords just as Mr. Parnell did, and the man who was selected at a banquet given in Dublin some years ago to Mr. Morley himself to propose the health of one of the Irish members who had been imprisoned under the Crimes Act, and who, in the course of the speech which he delivered upon that congenial topic, took occasion to denounce the Irish landlords in a most savage manner; and Mr. Roche, a Dublin lawyer, who was one of the directors of Archbishop Walsh's newspaper, *The Freeman's Journal*, at a time when that paper was urging the Plan of Campaign tenants to resist.

*The Commission had a Bias towards Landlords!!*

Such were the five men who composed the "Small Commission," and Mr. Morley had the effrontery to say of them, on 8th December 1892, at Newcastle, that their opinions and position were such, that if they had a bias one way or the other, that bias was in favour of the landlords and against the tenants.

*The Non-Judicial President.*

The President soon undeceived him. The Commission met for the first time on the 7th November 1892, and the President at once intimated that he did not sit there in a judicial capacity, that the proceedings were not to be in any sense judicial (as indeed they could not be, considering the end that had to be compassed). To make it quite clear that the proceedings were non-judicial, the President proceeded to bowl over a fundamental maxim in judicial proceedings, that before the judge forms a decision he must hear parties. The President in his opening speech condemned in no measured language the actions of the landlord whose estates had been placed first on the list for the proposed inquiry. This was done in the presence of the landlord's counsel. The first witness called as to these estates was not a tenant at all, and when the landlord's counsel asked permission to test by cross-examination the accuracy of the so-called evidence, he was refused permission under circumstances which showed that the Commission had no desire to sift the truth to the bottom, and, in fact, the whole procedure compelled the landlords and their advisers to withdraw altogether from the proceedings. The President naturally enough did not desire to have counsel present asking awkward questions. Counsel do, of course, sometimes make themselves very troublesome, but a firm president need have had no fear. So unjust did the President's behaviour appear to Mr. Murphy, one of the Commissioners, that that gentleman resigned at the close of the second day's proceedings, and almost simultaneously Mr. O'Brien, another of the Commissioners, received an appointment which prevented his further attendance at the proceedings of this precious Commission. Thereafter the remaining Nationalist trio had their own way—no one on the Bench, no one at the Bar, to call their attention to anything unpleasant. History can furnish no parallel iniquity.

The proceedings of the very first day, as Mr. Balfour pointed out in his speech at Sheffield on 13th December 1892, demonstrated the need of a watchful eye. He said:—

"The very first witness they called, on the very first day they sat, was a gentleman, a member of Parliament, named



Mr. Roche—not, of course, the Mr. Roche to whom I alluded a few minutes ago. Mr. Roche is not a tenant, but he has taken a leading part in the agitation upon the estates in the neighbourhood of Woodford, and he gave a large amount of evidence upon the subject of the Clanricarde estate. Now, gentlemen, it seems almost incredible, but it is nevertheless the fact, that Sir James Mathew had before him, while he was examining this Mr. Roche, that other examination which the same witness had undergone before the Parnell Commission. Mr. Roche swore before Sir James Mathew that 15 per cent. reduction granted to the Clanricarde tenantry would have prevented in 1885 the unhappy disputes which have since prevailed upon that estate. It was extracted and dragged out of him—I can use no other words—extracted and dragged out of him in the cross-examination before the Parnell Commission. That cross-examination Sir James Mathew had before him—that at the very time when, according to his evidence, 15 per cent. would have settled that dispute, this man was in the chair at a meeting in the district where it was unanimously resolved to insist on a reduction of not less than 50 per cent. I do not say that as at all a slur on Mr. Roche. If I was attacking Mr. Roche I should go into different matters. He no doubt carried out the work of the Irish agitators as he understood it. But what on earth are we to say of a man in Sir James Mathew's position, who, having this fact before him—a fact, observe, that was absolutely material to the whole evidence which Mr. Roche was giving—not only refused to bring it out himself, but also refused to allow any other of the counsel to bring it out for him.<sup>1</sup> I call that a most shameful transaction. (Loud cheers.) I think it stamped the Commission from the very beginning. But—perhaps a small matter compared with that, but it may be just worth quoting—the same Mr. Roche appears to have admitted, also in cross-examination before the Parnell Commission, that he advised the tenants to squeeze the throat of a neighbouring landlord until his glass eye fell out. It is quite

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<sup>1</sup> On this matter the following dialogue took place in the House of Commons on the 13th March 1893 between Sir Charles Russell and Mr. Carson (the counsel who was refused the privilege of cross-examination):—

“Sir C. Russell—I have the authority of Sir James Mathew to state that, while he does not doubt that he had the evidence before him among a mass of other books, his attention was not specifically called to it.

“Mr. Carson said that might be an excuse as to the honour of Sir James Mathew, but it certainly did alter their opinion as to his competence. (Opposition cheers.) But if the Attorney-General would refer to the *précis* of the evidence which he had in his possession, he would find, so far from it being the fact that the evidence at the Special Commission was merely one of a number of documents before Sir James Mathew, that he actually proved the letter from Sir M. Hicks Beach to Lord Clanricarde's agent, not by the production of the letter itself, but by the production of the passage out of Mr. Roche's re-examination. (Opposition cheers.) If that were so, what became of the statement of Sir James Mathew that it was by inadvertence that the whole of Mr. Roche's cross-examination was omitted? (Opposition cheers).”



true that Mr. Roche stated to the Commission that he used these words in a figurative sense. But there is no evidence, as far as I am aware, that when he said it to the tenants he told them that he wished them to understand it figuratively. Well, gentlemen, Mr. Roche is not the only agitator who has been examined before this Commission. On the contrary, as far as I can make out, all of the most important witnesses, so far, have either been political ecclesiastics or notorious agitators. But there is one other to whom I must call attention, as Mr. Morley has challenged public opinion on this point. There was a gentleman named Dalton, not as yet an Irish member of Parliament, though he appears to me to have thoroughly earned that distinguished position. (Laughter.) He was put into prison under the Crimes Act for being one of the parties to a criminal conspiracy which has become notorious to the whole kingdom, in connection with the disgraceful transactions at Tipperary. The case of Mr. Dalton was brought before the Chief Baron, and the Chief Baron pronounced a judgment in which he surveyed the whole Tipperary conspiracy, and naturally he made special reference to this Mr. Dalton. Mr. Dalton was examined before Sir James Mathew and his colleagues, and he explained all the losses he had at Tipperary. He got a few words, as I understand it, of sympathy from Sir James Mathew, but never from the beginning to the end of that cross-examination was Mr. Dalton's connection with the criminal conspiracy brought out, though all the facts were to be got by looking at a judgment which has been printed as a public paper and laid on the table of the House of Commons. What did the Chief Baron say? He said that the evidence that came before him was conclusive to show that the conspiracy had for its instruments boycotting, assault, and violence. He said that Mr. Dalton was a party to that conspiracy. And this man is brought forward as a witness on behalf of the tenants, and not a single one of these most material and most important facts is brought out. What are we to say of transactions of that kind?"

Clearly the assistance of counsel was needed to elucidate the truth.

*The Report of the Commission.*

The Report founded upon these unique proceedings is dated 25th February 1893, though it was not printed until the middle of March, and the following are the recommendations of the worthy trio:—

43. Our recommendations are as follows:—

1. The Land Commission, or a Special Commission to be named for the purpose, shall be empowered to settle disputes between landowners and evicted tenants.

2. Where the evicted holding is in the power or under the control of the landlord, the former tenant shall be enabled to petition the Commission for reinstatement as tenant, setting forth in his petition the terms as to rent or otherwise upon which he is prepared to accept reinstatement. The offer to be submitted to the landlord, with the request for a statement within a given period of his objections (if any), and any counter proposals.

3. If no amicable arrangement be come to, the Commission shall determine upon what terms, as to rent or otherwise, the petitioner shall be entitled to be reinstated.

4. Where applications for reinstatement have been made, the owner shall have the option of requiring that the lands shall be purchased by the tenants under the Land Purchase Acts, on terms to be fixed by the Commission. A tenant refusing to purchase shall have no claim to be reinstated.

5. Upon any such purchase, the Commission shall have power, either to extend the time over which the instalments are payable, or to postpone the payment of the first instalment for such period as they shall think fit.

6. The Commission shall be empowered to pay to the landlord such sum as shall be considered just, in respect of arrears due at the time that judgment in ejectment was obtained; one-half of any such payment to be paid or secured by the tenant.

7. Upon the application of the Board of Guardians the Commission shall have power to make loans upon the security of the rates of the electoral division, to enable reinstated tenants to stock their holdings.

8. The Commission shall have power, upon the application of an evicted tenant, to inquire whether a new occupier has a substantial interest in the holding, and when it shall appear that there is no such interest, to reinstate the former tenant on such terms as shall seem just.

9. The Commission shall be enabled to ascertain the terms, if any, upon which a new tenant or purchaser having a substantial interest in his holding may be willing to transfer it to the former tenant, and, if they think the terms reasonable, to assist the evicted tenant by making a grant to the extent of one-half of the agreed amount.

10. Where it is found impracticable to reinstate evicted tenants, the Commission shall have power to purchase lands to re-sell to such tenants under the Land Purchase Acts.

### *Gladstonian Government Shirks Debate.*

As soon as it was known that the Report had been signed, the Unionists became eager for a debate in the House of Commons, and they saw their way to obtain this on the discussion of the Supplementary Estimate for Special Commissions; but it got whispered about that Sir William Harcourt had a plan of escape from that debate by pretending that the expense of the Mathew

Commission was paid out of the £8000 voted for temporary commissions in the previous year's Estimates, and that the supplementary vote was needed for the London Water Commission, whereas as a matter of fact both of these Commissions had run concurrently and been paid for out of the same purse, and the supplementary vote was asked as much for the one as for the other. The answer given by Sir William Harcourt in the House on 24th February 1893 made it clear that this was his intention; but so much indignation was expressed at this attempt to stifle discussion, that three days later Mr. Gladstone had to throw over his lieutenant, and promise that no objection would be taken to such a discussion.

*No Wonder Debate was Shirked!*

If the recommendations of the Commission became law, dishonest men would enjoy privileges hitherto resolutely refused to honest men in Ireland. Men who handed over their rents to the treasurers of the Campaign Fund would be more favoured by the law than those who honestly paid their rents to their landlords. For example, it is proposed to authorise Boards of Guardians to raise a tax to stock farms. In County Clare this would mean that one landlord (Lord Inchiquin), who pays three-fourths of the rates, would practically stock the farms of his tenants who had suffered themselves to be evicted at the bidding of the Nationalist agitators!!!

It is not necessary to criticise these recommendations in detail, because the Separatist Government has not yet attempted to legislate on the lines indicated, but the following statistics compiled by Mr. T. W. Russell may be of interest:—

“Between the years 1887 and 1890 the Plan of Campaign was propounded by Irish politicians and largely adopted by Irish tenants. On many of the properties where it was adopted settlements were happily effected. But on seventeen estates inquired into by the Evicted Tenants Commission, the battle was fought out to the bitter end. On these estates there were at one time no less than 1403 evicted farms. The present position on these properties stands thus:—

Evicted farms taken by new tenants . . . . .	230
Evicted farms purchased under Land Acts by new tenants . . . . .	20
Evicted farms retaken by old tenants . . . . .	333
Evicted farms retaken by old tenants as caretakers. . . . .	5
Evicted farms purchased by old tenants under the Land Acts . . . . .	76
Evicted farms cultivated by or for the landlord . . . . .	482
Derelict farms . . . . .	204

The balance is accounted for by the fact that two evictions, in some cases, took place on the same farm. Now on these seventeen estates the problem involves at least the reinstatement of 686 tenants.

“But this is not all. The Evicted Tenants Commission was notoriously appointed to mop up the slops of the Plan of Campaign. But the 13th Section of the Land Act of 1891 covered within its purview every tenant evicted since 1879. And the Commission received, but gave no consideration to, 2755 applications for reinstatement from tenants evicted in different parts of Ireland since that year. The facts in regard to these cases stand thus :—

Applications for reinstatement . . . . .	2755
Number of farms occupied by new tenants . . . . .	1298
Farms cultivated by or for landlord . . . . .	960
Farms derelict . . . . .	497
	—————2755

Here, then, are 1457 additional claims for reinstatement, making in all a total of 2143. So far as the bare facts go, this is an accurate statement of the case.”

#### *Mr. M'Hugh's Evicted Tenants' Bill.*

But though the Separatist Government has introduced no Bill of its own, Mr. M'Hugh, a Nationalist member, introduced his Evicted Tenants' (Ireland) Bill, which embodies the principle of the “confiscation of the property of honest men for the advantage of the dishonest, and of burdening the Irish Church funds or the British taxpayer with the cost of the crimes and blunders of the Plan of Campaign.”

Curiously enough, though the Report of the “Small Commission” was not published until the middle of March 1893, Mr. M'Hugh's Bill, which is based on the recommendations of the Commission, and bears a truly remarkable resemblance to them, was introduced in February of that year.

Mr. Morley, for the Separatist Government, supported the second reading of Mr. M'Hugh's Bill on 29th March 1893, though in doing so he took exception to so many of its provisions, that when he sat down it was doubtful whether any one of its provisions was satisfactory to his mind. Still he thought something might be made of it in Committee, and he promised to do what he could for it, after the second reading of the Home Rule Bill, and the clearing of other difficulties which lay in the way of the Government. The time for doing anything never arrived. The second reading of Mr. M'Hugh's Bill was never resumed, and the Bill, having served its purpose, was dropped. It is understood that the Government is pledged

to its Nationalist allies to make an Evicted Tenants' Bill a prominent feature in the legislative efforts of 1894.

*Impudent Attempts to Draw Unionist Leaders.*

Several impudent attempts have been made in Parliament to draw from Mr. Balfour a consent to a renewal of the 13th Section of the Land Purchase Act of 1891 (above quoted). He said quite plainly that it was quite possible circumstances might arise under which that would be the very best course to pursue, but when he was asked to give his opinion on the subject, he must point out that he was not a member of the Government responsible for Government legislation, and when, therefore, he was asked to give his assent to legislation on a particular subject, it was only fair to tell him first what was the general programme of the Government upon that subject, and what was their scheme of dealing with the whole question. When he knew what the Government proposed to do and how they proposed to do it, he would then be perfectly frank with the House, and say what he thought should be done.

IV. MR. MORLEY'S LOSS OF REPUTATION.

Ever labouring thus in the cause of evil-doers, it needed but one more step for Mr. Morley to become personally a transgressor of the law. That step he took, and the charge was thus made against him in the House of Commons on 27th March 1893 by Mr. Balfour:—

“A certain man owed not rent to the landlord, but a certain amount of money in payment of instalments to the Board of Works. In other words, he owed it to the taxpayers of this country, of whom you are the representatives. Each separate time the sheriff attempted to collect that debt, due in consequence of a public loan, by a proceeding not unfamiliar in Ireland, he found nothing to distrain. He then applied to the police for protection in order to make a night seizure. He applied to enable him to do that by which alone this conspiracy to defraud the English public could be defeated—namely, to surprise the man at night and take possession of so much of his possessions as was required in order to pay the public debt. The police refused to give that protection, acting under the direct instructions of the Irish Government, who did not take the trouble to inquire into the circumstances of the case or into the character of the debt, but laid down a hard and fast rule that under no circumstances, and for no purpose whatever, would police protection be given at night. That appears to me on the face of it to be an unjust proceeding. (Opposition cheers.) It was not only an unjust,

but a grossly illegal proceeding—(hear, hear)—which, if the Chief Secretary did not know to be illegal, he ought to have known, and upon which the judges of the land pronounced very emphatic opinions. I will only read Mr. Justice O'Brien's opinion, because it not merely points out the illegality of which the Irish Government were guilty, but shows the remote consequences which in a country like Ireland must inevitably follow from such illegality. Mr. Justice O'Brien said:—

“‘It is obvious that if such a licence of resistance to the sheriff were allowed, it could not be confined to writs of execution, but must immediately spread to all orders of the Court—to attachments, injunctions, and all kinds of proceedings that arise out of the invasion of private rights; and with that swiftness of intuition with which the lessons of disorder are wont to be applied in this country, leading from confusion to resistance, from resistance to violence and crime, and ending, as in this case, in a state of open collision, in which all law would be at an end.’

“I quote that because it indicates the truth, of which the present Chief Secretary must be aware, viz., that this state of things was no casual mistake of his law officers, no stray blunder into which he was led, but must be interpreted, and rightly interpreted, as part of a general system by which, in the words of my resolution, the administration of the law would be brought into contempt. (Opposition cheers.) The Chief Secretary has made no defence. He, indeed, indulged in a *tu quoque*. He said that we had been guilty of boundless illegality of the same character, that we had done acts which might be compared with cattle-lifting and highway robbery, and that no less than 713 atrocious cases of cattle-lifting and highway robbery were to be attributed to the myrmidons of the late Government. (Laughter.) He was led, as he afterwards admitted, into a grave mistake in point of the numbers. We are all liable to err in these matters, especially if we are to rely solely on Irish sources of information. (Cheers and counter cheers.) These 713 cases were whittled down by further examination to 66. (Opposition cheers.) Rather a large margin there. (Laughter.) And it appears on the further cross-examination that even these 66 do not seem to be very fully substantiated. (Hear, hear.) An invitation was given to my learned friend (Mr. Carson) to go to the Irish Office and examine for himself. He went, and was given four cases. I do not know that they were the best, but when he examined them he found that not one of those four bore out the original contention of the Chief Secretary. There remain, I suppose, 62, and about these we can get no authentic statement whatever. The right hon. gentleman seems himself to be rather vague as to what the law on this matter is. The sheriffs, whose conduct is impugned, emphatically deny the whole thing. (Opposition cheers.) And I have a reason for believing them which appears to me even stronger than that denial, namely, that any sheriff guilty of illegality of



the kind described would lay himself, and the Government who had given him protection, open not only to the severest criticism, but to very heavy costs. (Opposition cheers.) Knowing what I do of gentlemen below the gangway, knowing how year after year, month after month, day after day, they watched with lynx eyes every single proceeding of the late Irish Administration, how every case, good and bad—bad usually, I must say, rather than good—was brought into this House, and hammered out in this House, until every human being was sick of it—(laughter and cheers)—I cannot reconcile it with the admiration I feel for these hon. gentlemen to believe that these 62 breaches of the law were permitted by them to go on year after year unchallenged and unattacked.”

To this charge Mr. Morley had only two answers—(1) the *tu quoque* already dealt with by Mr. Balfour, and (2) the very common retort of law breakers, that if only there had been the right of appeal, the judgment against him would have been reversed. Poor Mr. Morley was then still smarting under the unanimous judgment of four eminent judges of the Queen's Bench Division, Dublin, the Lord Chief Justice of which had thus dared to describe the lawless action of this would-be all-powerful official:—

“The official who directed Mr. Waters to refuse to comply with the sheriff's demand for protection, be he Under Secretary or Chief Secretary—I do not, of course, refer to his Excellency the Lord Lieutenant—has rendered himself amenable to the criminal law, is liable to be tried by indictment, to have criminal information exhibited in this Court against him, and to be attached by the summary process of this Court.”

This review of the melancholy system adopted by the Separatist Government for the government of Ireland may fitly be brought to a close by a summary of sentiments recently expressed by Lord Salisbury:—

“The revocation of the Crimes Act proclamations, the Evicted Tenants' Commission, and the release of dynamitards and other felons, all indicate a steady policy of favouring those who have broken the law for the purpose of gaining the goodwill of those who have been enemies of the law. This is the keynote of Mr. Morley's Irish policy. Possibly when Ministers are directly challenged they may find something plausible to say in defence of each separate act of the Irish administration; but when all these acts are viewed together, they indicate a single policy, and that is a policy of winning political support by showing favourable consideration to criminals. At one time it is tenants who have entered into a conspiracy to defraud their creditors, at another time it is the murderers of a policeman, and again, the agents of the party of assassination who are the



recipients of Government favours. In every case the object is to win or retain the support of a political party whose votes alone have placed Mr. Gladstone in power, and who could unseat him to-morrow if he failed to please them."

And yet all these boons to evil-doers are only crumbs to tide over the time till the morning dawns when an Irish Parliament shall (if the Separatists can manage it) meet on College Green, and the Nationalist leaders take up their residence in Dublin Castle.

*Mr. Morley Treated Disrespectfully by Nationalists.*

Alas! Mr. Morley is beginning to find that a Government responsible to the electorate of Great Britain cannot gain the lasting goodwill of those who are the enemies of the law. After denouncing the late Unionist Government for disentombing an obsolete statute of Edward III., he himself has put it in operation against more than 120 public meetings. Evictions have not ceased. Mr. John Dillon on 14th December 1893 complained that evictions were very numerous, and in December 1893 the Royal Irish Constabulary were doing the work of emergency men, and protecting the ruined homesteads of Lord De Freyne's tenants, lest they should be rebuilt by the ex-tenants and their friends.

*New Morley = Old Balfour.*

No wonder that Mr. John Redmond, at Dunmore, in Galway, asks on 17th December 1893:—

"What difference is there to-day in the government of Ireland by the Liberals from what it was under the Tories? . . . Mr. Morley, with all his friendliness to Ireland, is not a strong man, and the little ring in Dublin Castle has got possession of him, and the result is that when the Liberals came into power evictions in Ireland increased. . . . When the Tories were in power jury-packing in Ireland was bitterly denounced, but at this moment it is just as rampant as ever in the country, despite Mr. Gladstone's and Mr. Morley's condemnation of the system in 1890."

And the same complaint is made by the Parnellites in their appeal for funds issued in February 1894. They say of the administration of Ireland:—

"It has been completely a failure. It has been indistinguishable from that we were accustomed to under the Tories. It has been marked by . . . evictions, house-burnings, jury-packing, prosecutions of representatives of the people."

When Mr. Balfour was charged with doing these very things indignant Gladstonian M.P.'s denounced him in the press, on the platform, and in the House of Commons. Women's Liberal Associations sent deputations to Ireland, and they brought back harrowing reports of Mr. Balfour's atrocities. Why are Gladstonians—male and female—silent now? Why are the Parnellites left to do all the honest denunciation?

The chief Parnellite organ in Dublin (the *Irish Daily Independent*) in its issues of December 1893 is full of indignation. It declares that it can no longer continue its belief "in the good faith or rectitude of John Morley," or of the Government, who are guilty of "vile hypocrisy." His substitute, Mr. Bryce, is charged with deliberate falsehood. "When," says one Parnellite journal, "Mr. Bryce stated that the Crown prosecutor did not know till after the jury was formed that the forty men ordered to stand aside were Catholics, he was prevaricating, and he knew it." Another Parnellite paper, speaking of the same subject, says, "Not one man in the House, nor one man throughout the land, believed that Minister of the Crown, his honour, or his honesty." And then Mr. Morley receives due warning of the fate in store for him. "Of all the wrecks which will mark the course of this Government," says the same paper, "the saddest and perhaps the most complete will be the ruin of John Morley's reputation. It will be a great but sorrowful lesson to other men and other times." In December 1893 he was prosecuting some of the prisoners by whose side he sat in the dock at Tipperary, men who are now proclaiming him "a tyrant like Mr. Balfour, without Mr. Balfour's honesty."

After all, Mr. Morley must be discovering that honesty is the best policy. Mr. Morley and Mr. Balfour are both of them now reaping their reward. Mr. Morley's reward has just been indicated. Mr. Balfour's is more pleasant. An illustration of it may be found in what took place on Friday, 18th August 1893, when the first of his Donegal railways was opened for traffic. On the arrival of the first through train from Derry a public meeting was held in the Killybegs National Schoolhouse, presided over by the parish priest, the Rev. Michael Martin, who, amid the applause of the meeting, said that the name of Balfour would be for ever associated with the prosperity of Killybegs, and that its inhabitants had good reason to hold that name in grateful recognition for the great favours he had conferred on them; and in the name of the meeting a telegram was sent to Mr. Balfour, thanking him, and wishing him a long, happy, and prosperous life.



## III. EXTRACTS FROM SPEECHES, &amp;c.

Opinions of British Statesmen, p. 253—Specimen Utterances of Nationalist Leaders, p. 260—Methods of the League, p. 264—Some Object Lessons in Home Rule, p. 268—Clerical Intimidation, p. 273—The "Union of Hearts" up to date, p. 274—An Appeal to Scotsmen, p. 275—Useful Books, p. 276.

## PART I.—HISTORICAL INFORMATION.

CHRONOLOGICAL SUMMARY.<sup>1</sup>

The following list of outstanding dates in Irish history will be found useful:—

Supremacy of Henry II. acknowledged . . . . .	1171-72
Statute of Kilkenny . . . . .	1366
Poyning's Law . . . . .	1494
Rebellion of the Kildares . . . . .	1534
Henry VIII. takes title of King of Ireland . . . . .	1542
Rebellions . . . . . 1565, 1577, 1579-80, 1595	
Colonisation of Ulster begins . . . . .	1611
Great Rebellion and massacre of English . . . . .	1641
Cromwell in Ireland . . . . .	1649
Irish Catholics under Tyrconnel take part with James II. Proscription of Protestants. Siege of Derry . . . . .	1689
Battle of the Boyne . . . . .	1690
Battle of Aughrim and capitulation of Limerick . . . . .	1691
Penal Laws . . . . .	1692
Toleration Act . . . . .	1719
Grattan's Parliament . . . . .	1782
Rebellion . . . . .	1798
Union . . . . .	1800
Repeal of Catholic disabilities . . . . .	1829
O'Connell's motion for Repeal of the Union re- jected by 523 to 38 . . . . .	1834
Irish Poor Law . . . . .	1838
Tenants relieved of tithes . . . . .	1838
Irish Municipal Act. Repeal agitation renewed . . . . .	1840
"Young Ireland" movement begins . . . . .	1842
Arrest of O'Connell. Collapse of Repeal move- ment . . . . .	1843
Famine. Large grants for relief of Irish distress . . . . .	1846-47
Abortive rebellion under Smith O'Brien . . . . .	1848
Fenian insurrection . . . . .	1866
Irish Church disestablished . . . . .	1869

<sup>1</sup> For full chronology of Irish history, see Acland and Ransome's *Handbook of English Political History*, pp. 252-256, from which most of these dates are taken. See also *The Brief for the Government*, pp. 168-176.

Land Act. "Home Government Association"	
formed . . . . .	1870
Irish members begin to obstruct the proceedings	
of the House of Commons . . . . .	1877
Land League formed . . . . .	1879
Second Land Act . . . . .	1881
Phoenix Park murders . . . . .	1882
Ashbourne Act . . . . .	1885
First Home Rule Bill . . . . .	1886
Special Commission Act . . . . .	1888
Split in Parnellite Party . . . . .	1890
Return of Mr. Gladstone to office . . . . .	1892
Second Home Rule Bill . . . . .	1893

We need not enter into any discussion as to the many vexed questions of Irish history. Impassioned argument, based on the events of three hundred years ago, is really quite irrelevant to the question now before the country. That the records of English rule in Ireland in past ages contain instances of injustice and oppression need not be denied, though cases of alleged oppression, when examined in the light of history, often bear an aspect very different from that put upon them by Irish agitators. Still the penal laws of the eighteenth century (which, by the way, were passed by a Dublin Parliament) no more justify a proposal to break up the Union now than the atrocities of the rebels in 1798 would justify us now in treating the Irish as a race of hostile savages.

There are, however, two historical matters which are so constantly referred to by Home Rule speakers that they may be briefly noticed here.

#### GRATTAN'S PARLIAMENT.

The only period in all history during which Ireland, as a whole, has been governed by an independent Irish Parliament was from 1782 to 1800, the period of the existence of "Grattan's Parliament." This was the Parliament abolished by the Act of Union, whose loss is so bitterly lamented in Nationalist oratory. During the eighteen years of its existence it quarrelled with the English Parliament; it proposed to put prohibitive duties on British commerce; it passed *fifty-four Coercion Acts*; it reduced Ireland almost to bankruptcy; and its rule finally landed the country in the horrible rebellion of 1798. The state of Ireland after eighteen years of its only trial of Home Rule was thus described by Lord Clare, Lord Chancellor of Ireland, speaking on February 10, 1800: <sup>1</sup>—

<sup>1</sup> Quoted in *The Speaker's Handbook on the Irish Question*, 3rd ed., p. 33.

“I will now appeal to every dispassionate man who hears me whether I have in anything misstated or exaggerated the calamitous situation of my country, or the coalition of vice and folly which has long undermined her happiness, and at this hour loudly threatens her existence. It is gravely inculcated, I know: ‘Let the British Minister leave us to ourselves, and we are very well as we are.’ ‘We are very well as we are.’ Gracious God! of what materials must the heart of that man be composed, who knows the state of the country, and will coldly tell us ‘we are very well as we are’? ‘We are very well as we are.’ *We have not three years of redemption from bankruptcy or intolerable taxation, nor one hour’s security against the renewal of exterminating civil war.* ‘We are very well as we are.’ Look to your Statute-book—session after session have you been compelled to enact laws of unexampled rigour and novelty to repress the horrible excesses of the mass of your people; and the fury of murder and pillage and desolation have so outrun all legislative exertion that you have been at length driven to the hard necessity of breaking down the pale of the municipal law, and putting your country under the ban of military government; and in every little circle of dignity and independence we hear whispers of discontent at the temperate discretion with which it is administered. ‘We are very well as we are.’ Look at the old revolutionary Government of the Irish Union, and the modern revolutionary Government of the Irish consulate, canvassing the dregs of that rebel democracy for a renewal of popular ferment and outrage to overcome the deliberations of Parliament. ‘We are very well as we are.’ Look to your civil and religious dissensions—look to the fury of political faction, and the torrents of human blood that stain the face of your country, and of what material is that man composed who will not listen with patience and goodwill to any proposition that can be made to him for composing the distractions, and healing the wounds, and alleviating the miseries of this devoted nation? ‘We are very well as we are.’ *Look to your finances, and, I repeat, you have not redemption for three years from public bankruptcy, or a burthen of taxation which will sink every gentleman of property in the country.*”

Such was the Irish Parliament’s disastrous failure to govern Ireland. It may be said that after all Grattan’s Parliament (though after 1793 it was elected by Roman Catholics as well as Protestants, the former immensely preponderating in the constituencies) was itself a Protestant body, and therefore represented only “Protestant ascendancy.” This may be partly true; but it is certainly true that a Parliament elected under any possible Home Rule measure would represent Roman Catholic ascendancy pure and simple.

## THE UNION.

Lord Clare's picture of the state of Ireland in 1800 makes very clear the reasons which led English statesmen to regard the Union as necessary. We are constantly told, however, that it was brought about in opposition to the urgent desire of the Irish people, and that it was only carried by wholesale bribery and corruption. As a matter of fact the opposition came entirely from the Protestants, who saw their unjust ascendancy threatened. The Roman Catholic population, as well as the bishops and clergy, were almost to a man on the side of Union. Conclusive proof of this is to be seen in the fact that the Union was supported by the members for the counties of Clare, Cork, Kerry, Limerick, Tipperary, Waterford, Mayo, Galway, Longford, Westmeath, and Wexford, in all which constituencies the Catholics had a majority. As to the charge of bribery, it is true that large sums of money were paid to members of the Irish Parliament at the time of the Union. But these sums were paid as compensation to the owners of pocket boroughs irrespective of how they voted. *No less than £434,000 was paid to members who voted against the Union.*<sup>1</sup>

Even supposing all the charges brought against the promoters of the Act of Union to be true, they form no reason for the repeal of that Act now. The question is not how was the Union brought about, but how is it working now; not what happened in 1800, but what ought to be done in 1894.

## IRELAND UNDER THE UNITED PARLIAMENT.

Nationalist speakers constantly tell us that the population and the material wellbeing of Ireland have declined ever since the Union. The population increased down to the census of 1841; since then it has in the agricultural districts of Ireland—that is, in nearly the whole of the country—decreased, just as it has decreased and is decreasing in the purely agricultural counties of England and Scotland. In Belfast, on the other hand, where Ulster energy and thrift have created great manufacturing industries, the population has increased from 25,000 in 1800 to 273,055 in 1892. Detailed statistics illustrating these statements will be found in the *Speaker's Handbook to the Irish Question*, and we would refer to the same source for a series of remarkable figures showing the commercial progress of Ireland during the past generation. Revenue, shipping, and excise

<sup>1</sup> For details as to these facts see *Speaker's Handbook*, pp. 29-33, and Sir E. Ashmead Bartlett's *Union or Separation*, Appendix V.



have all vastly increased; the deposits in savings banks rose from £1,200,000 in 1849 to £6,057,882 in 1892; in the Post Office Savings Banks, the popular banks with poor depositors, the deposits rose from £583,165 in 1870 to £4,069,000 in 1892, an increase of 660 *per cent. in twenty-two years*.<sup>1</sup> Education has similarly progressed.

It need not be disputed that in dealing with Ireland the Imperial Parliament has made mistakes, as it has in dealing with other parts of the Empire; any conceivable legislative body or bodies would have done so. But the history of the century proves to demonstration that Parliament has throughout desired to treat all sections of the Irish people with fairness and justice, that from decade to decade it has understood Irish problems better and treated them more successfully, and that under its rule Ireland has become more prosperous, more peaceful, and more civilised.

Parliament has shown itself ready to meet Irish wishes in the most liberal spirit. In 1829 the Catholic Emancipation Act was passed, putting an end to the disabilities of Roman Catholics. The Irish Church, as the Church of a small minority of the people, was regarded as a grievance; in 1833 it was reduced and reformed, and in 1869 it was disestablished. A national system of education has been established. No less a sum than £38,000,000 has been advanced to Ireland for public works, out of which £7,000,000 has been absolutely forgiven. Nationalist agitators attribute the great famine of 1846-47 to the Union, as if the malign influence of the British Parliament had destroyed the potatoes. What Parliament did at the time of the famine was to advance to Ireland a sum of £7,523,140, nearly half of which was a free gift, and to organise arrangements by which upwards of three million persons were fed every day in the neighbourhood of their own homes. Great as the mortality of the famine time was, it would have been infinitely greater had it not been for the British Parliament.

#### LAND LEGISLATION.

The land legislation of the United Parliament has put the Irish farmer in a more favourable position than any tenant

<sup>1</sup> Progress in this respect has stopped under Mr. Gladstone. In the House of Commons on September 14, 1893, Mr. T. W. Russell asked the Postmaster-General whether the balances in Irish Post Office and Trustee Savings Banks for the half-year ending June 30 last showed a decrease of £160,000, and if this was the first half-year since 1883 in which there had not been an increase. Mr. A. Morley: "The estimated decrease in the Post Office Savings Banks, apart from the Trustee Banks, was only £49,000, or rather more than 1 per cent. The answer to the last paragraph is in the affirmative. I ought to say that during the first two months of the current half-year the deposits exceeded the withdrawals by about 36,000 in number and about £24,000 in amount."—*Times*, Sept. 15, 1893.

in the world. Recognising the exceptional position of Irish agriculture, the Legislature has given the Irish tenant unprecedented privileges and advantages. It is sufficient to refer to the two great Land Acts of 1870 and 1881. By the Act of 1870 the Ulster tenant right and similar customs in other parts of Ireland received a legal status; new rights were conferred on tenants with reference to compensation for disturbance by the act of the landlord; compensation was given for improvements; and facilities were given for the loan by Government of two-thirds of the purchase-money to tenants desirous of buying their holdings from landlords willing to sell. The Act of 1881 conferred on the tenant the "three F's"—Fair Rent, Fixity of Tenure, and Free Sale. It provides that any existing tenant may sell his interest in his holding to the best bidder, and that the purchaser acquires all the rights of the seller as a present tenant. Every present tenant has a right to apply to a court to fix a judicial rent, subject to statutory conditions. The judicial rent cannot be altered for fifteen years; nor can the tenant be disturbed except by his own act. At the end of fifteen years the tenant can apply for another term subject to a revision of rent. Rent once fixed under the Act can never be raised again by the landlord. If a tenant is evicted he has the right to redeem within six months, or to sell his tenancy within the same period to a purchaser, who can likewise redeem, and thus acquire all the privileges of the tenant. How great was the boon thus conferred upon the tenants may be seen from the facts that twenty, thirty, and even forty years' purchase of the rent have often been paid for an outgoing tenant's interest in his holding. The benefits of this Act have been largely extended by the Act of 1887 (see p. 136). The Arrears Act of 1882 wiped out £1,820,586 of arrears. The Land Purchase Act of 1885 (the Ashbourne Act) provided for the advance of £5,000,000 of public money to help tenants to buy their holdings. A tenant wishing to do so, and who has come to terms with his landlord, can, by taking advantage of the Act, change his position from that of a perpetual rent-payer into that of the payer of an annuity terminable at the end of forty-nine years, and less in amount than the annual rent. Another sum of £5,000,000 was allocated for the same purpose in 1888, and the facilities for land purchase have been further extended by the Land Purchase Act of 1891. The Land Purchase Acts have been fully dealt with elsewhere (pp. 139 to 146).

Such measures as these show that the Imperial Parliament is both able and willing to legislate generously for Ireland, and of the success of its legislation the increased prosperity, peacefulness, and security of Ireland bear witness. When we compare the Ireland of to-day with the Ireland of Lord Clare's

time, the Nationalist contention that the Union has done nothing but evil to the country seems merely grotesque. Still the Government in Ireland has always had to deal with a disloyal and disaffected party.

### THE HOME RULE MOVEMENT.

O'Connell's great agitation for Repeal of the Union was firmly met by the Government of the day, and failed deservedly, as his agitation for Catholic Emancipation had deservedly succeeded. After him came the declared revolutionists, the rebels of '48 and the Fenians, with their openly separatist objects and criminal methods. These men were the avowed enemies of this country and of the Queen; with them no compromise was ever possible; and the renunciation both of their objects and their methods by the Parnellite party is the plea most strongly urged—with what justice we shall see later—in favour of Home Rule.

The modern "constitutional" Home Rule movement dates from the year 1870, when "The Home Government Association," having for its object the establishment of an independent Irish Parliament, was formed in Dublin. Three years later this body was succeeded by the "Home Rule League." In its early years the movement was led by Mr. Isaac Butt, who in 1879 was nominally succeeded as leader by Mr. Shaw. But the man who brought the party to its present position was Mr. Parnell, who in 1875 entered Parliament as member for Meath. It was in 1877 that Mr. Parnell, with the help of Mr. J. G. Biggar, started his policy of systematically obstructing the business of the country in the House of Commons. He soon was recognised as the leader of the extremists. How the Nationalist party during the later years of the Parliament of 1874, and throughout the whole of that of 1880, persistently obstructed public business; how they insulted and defied the House of Commons; how they were denounced as public enemies by statesmen of all parties—by none more emphatically than by their present friend, Mr. Gladstone, by none with more indignant scorn than by their present humble follower, Sir William Harcourt—are facts still fresh in the memory of the country. Agrarian agitation in Ireland kept pace with obstruction at Westminster. The bad seasons towards the end of the seventies brought scarcity, and with scarcity discontent, which was energetically exploited for purposes of agitation. The Land League was formed in 1879. Guided and controlled by the Parliamentary chiefs of the party, and professing legality both in its objects and its methods, it was determinedly hostile not only to British rule, but to the existence of landed property in

Ireland. In its war against rent it established in Ireland an unparalleled system of local tyranny. Its behests, and those of its successor, the National League, were enforced by the most cruel and ruthless system of boycotting, and too often by murder and outrage. Its footsteps were "dogged by crime," to use Mr. Gladstone's memorable words. Many of its members were in touch with the most reckless political criminals—the Clan-na-Gael, the dynamiters, the Invincibles. The hideous record of Irish crime which blackens the history of 1881 and 1882 will not soon be forgotten. To go in detail into the operations of the League would take us far beyond the scope of this chapter; illustrations of its methods will be found in the extracts which we give from the Report of the Parnell Commission,<sup>1</sup> and in the cases given in Part III.<sup>2</sup> Its attitude towards the Government, and the way in which it received the beneficent legislation of 1881, are well described in the following passage from an article in the *Scotsman*:—

"When Mr. Gladstone passed his famous Land Act of 1881, giving to Irish tenants fixity of tenure, fair rents, and free sale, Parnell ordered the tenants not to make use of it. He held a convention of the Land League in September 1881, and in his own words, 'resolutions were adopted for national self-government, the unconditional liberation of the land for the people, tenants not to use the rent-fixing clauses of the Land Act, and follow old Land League lines, and rely upon the old methods to reach justice.' The tenants were ordered not to pay rent. In the once notorious manifesto they were thus instructed:—

" 'Pay no rent. Avoid the Land Court. Such is the programme now before the country. Adopt it, and it will lead you to free land and happy homes. Reject it, and slavery and degradation will be your portion. Pay no rent. The person who does should be visited with the severest sentence of social ostracism.'

"Parnell himself had already given them the following assurance:—

" 'I cannot see that the tenants will lose anything at all where it is possible for the Land League to keep the farm vacant. This has been our principle from the very commencement; without such a policy we could not have succeeded in the movement at all from the beginning, and if we are able to keep a tenant's farm vacant who has allowed his interest to be sold, there can be no shadow of doubt whatever that he will be able, if he desires, to make a satisfactory arrangement with his landlord hereafter.'

"Unfortunately for themselves and for the country many of

<sup>1</sup> Page 207.

<sup>2</sup> Page 264. See Mr. Clifford Lloyd's *Ireland under the Land League* (Blackwood, 1892).

the tenants trusted him. Others feared the Land League and social ostracism, afterwards boycotting, now in Gladstonian parlance 'exclusive dealing;' and many refused to pay rent, and allowed their tenant-right to pass from them, believing that, as Parnell said, they would be able to make a satisfactory arrangement for getting it back afterwards—a satisfactory arrangement meaning in their foolish dreams 'free land and happy homes.' This movement was participated in by the men who are now the cherished and lauded allies of the Gladstonians; yet these men have never admitted that they did wrong; they still hold that they did well, and even yesterday some of them boasted of their success in wringing fresh concessions from Parliament by such methods. But at the time Mr. Gladstone denounced these methods as fatal to the very foundations of human society. 'For nearly the first time in the history of Christendom,' he said, 'a body—a small body of men—have arisen, who are not ashamed to preach in Ireland the doctrine of public plunder.' He described Parnell's No-Rent mission as one 'to demoralise a people by teaching them to make the property of their neighbours the object of their covetous desire.' 'They wish,' he said, 'to march through rapine to the disintegration and dismemberment of the Empire.' 'Mr. Parnell admits now,' said Sir William Harcourt at Glasgow, 'that what he wants is not "Fair Rent;" he wants no rent at all; he wants to get rid of the landlords, in order that he might get rid of the English Government, and for this object every kind of intimidation has been employed to deter honest men from doing their duty and fulfilling their obligations.'"<sup>1</sup>

Down to the General Election of 1885, the Home Rule movement had not received countenance from any responsible British statesman. In the early days of the movement, when it was in the hands of moderate men of the standing and character of Mr. Butt and Mr. Shaw, the proposal had always received a patient hearing from the House of Commons; but the insuperable difficulties of forming any practical scheme, and the immense dangers both to Ireland and to the Empire involved in any form of Home Rule, were so obvious that statesmen of all parties regarded the project as absolutely visionary. When the policy of the Home Rulers took the form of obstruction in the House of Commons, and Land League agitation—with its accompaniments—in Ireland, the Liberal Government then in power, with the cordial support of the whole country, justly treated them as the enemies of civilisation. At the General Election of 1885 Mr. Gladstone, in impassioned language, called upon the constituencies to send him into power with a majority large enough to enable him to deal with Irish

<sup>1</sup> *Scotsman*, March 3, 1892.

questions independently of Parnellite support.<sup>1</sup> The extension of the franchise in 1884 had conferred political power on enormous numbers of the most ignorant and credulous of the Irish peasantry, with the result that after the election the strength of the Home Rule party in the House of Commons was increased to eighty-six. It was soon seen that these eighty-six held the fate of the Ministry in their hands, and that the purchase of their vote by Mr. Gladstone meant his accession to office at the head of a great majority.

#### MR. GLADSTONE'S CONVERSION—THE BILL OF 1886.

The result was Mr. Gladstone's amazing conversion. In the end of 1885 it was rumoured that he—the same Mr. Gladstone who had brought in the most stringent Coercion Act of modern times, who had imprisoned without trial hundreds of Nationalist agitators, from Mr. Parnell downwards, and who had denounced the party as “marching through rapine to the dismemberment of the Empire”—had seen the error of his ways and was preparing to surrender. The rumour, received at first with incredulous astonishment, proved to be true. In February 1886 Mr. Gladstone came into office with Mr. John Morley, a declared Home Ruler, as Chief Secretary for Ireland, and on April 8th he introduced his first Bill for the future Government of Ireland.<sup>2</sup>

The Bill proposed to establish an Irish Legislature, to consist of two Orders. The first Order was to consist of 75 elective and 28 peerage members, the elective members to possess a property qualification of not less than £200 a year, to be elected on a £25 franchise, and to hold office for ten years; the peerage members to be elected by Irish peers, and to hold office for life or thirty years, whichever period was shorter. The second Order was to consist of 206 members, two to be returned by each of the 103 Irish constituencies. To this Legislature was given power to make laws for Ireland, except with regard to certain reserved matters, among which were succession to the Crown, peace and war, foreign and colonial

<sup>1</sup> See his speech at Edinburgh, November 9, 1885, quoted on p. 256.

<sup>2</sup> “There are abundant signs by which to distinguish between those changes which prove nothing worse than the fallibility of the individual mind, and manœuvres which destroy confidence and entail merited dishonour. Changes which are sudden and precipitate—changes accompanied with a light and contemptuous repudiation of the former self—changes which are systematically timed and tuned to the interest of personal advancement—changes which are hooded, slurred over, or denied—for these changes, and such as these, I have not one word to say; and if they can be justly charged upon me, I can no longer desire that any portion, however small, of the interests or concerns of my countrymen should be lodged in my hands.”—*A Chapter of Autobiography*, by the Right Hon. W. E. Gladstone, M.P., 1868, p. 6.



policy, the establishment of religion, trade, customs, and coinage. Irish members were excluded from the Imperial Parliament. The executive power in Ireland was to remain vested in the Queen, represented by the Lord-Lieutenant. Other clauses of the Bill fixed the amount of future contributions by Ireland to the Imperial Exchequer, provided for the decision of constitutional questions, &c.<sup>1</sup>

The Bill was accompanied by another for the buying out of the Irish landlords, who, as the authors of the Home Rule Bill themselves admitted, could not hope for justice at the hands of the Irish Parliament which it was proposed to create.<sup>2</sup>

Mr. Gladstone's Bills naturally caused the most intense excitement throughout the country. They were fiercely debated in Parliament, in the constituencies, and in the press. With the Land Purchase Bill we are not here concerned; it is dead and buried, and the subject has been dealt with to better purpose by the late Unionist Government. A full account of the struggle over the Bills, with an excellent synopsis of the discussions both in Parliament and in the country, will be found in the *Annual Register* for 1886. The main argumentative points on the Unionist side, which are as valid now as they were then, are summarised in Part II. (pp. 232 to 253).

Foremost in the opposition to Mr. Gladstone's proposals were many of the most trusted and distinguished leaders of the Liberal party, including Mr. John Bright, Lord Hartington, Mr. Goschen, and Mr. Chamberlain. The division on the second reading of the Home Rule Bill was taken on June 7, when the Bill was lost by 341 to 311, 93 Liberals voting in the majority. Parliament was dissolved a fortnight later, and the question was appealed to the country. The constituencies emphatically declared for the Union, the new House of Commons consisting of 316 Conservatives and 78 Liberal Unionists, as against 191 Home Rule Liberals and 85 Irish Home Rulers. Mr. Gladstone resigned office, and Lord Salisbury became Prime Minister, having as Irish Secretary Sir Michael Hicks Beach, who, in March 1887, was succeeded by Mr. A. J. Balfour.

The Irish policy of the Unionist party was simply that of prudent and generous redress of grievances, accompanied by a firm and impartial administration of justice. It is not too much to say that it succeeded beyond the hopes of Unionists themselves, and its success is the most ample justification of

<sup>1</sup> The main points only of the Bill of 1886 are given above. Former editions of this work contained a detailed abstract of its clauses; this has been omitted, as Mr. Gladstone's second Bill is before the country. The text of the second Bill will be found on pp. 212 to 227.

<sup>2</sup> See Mr. Gladstone's speech on the introduction of the Land Purchase Bill of 1886, quoted on p. 246.



the decision of 1886. The Irish legislation and administration of the late Government are treated of in another part of this volume (Chapter XI.).

The success of Unionist government in Ireland is much the most important factor in the situation between the General Election of 1886 and that of 1892. There were, however, two events which seriously modified the position of the Home Rule party during that period, and which must be noticed here, namely, the investigation of the Parnell Commission, and the split in the party consequent on the fall of Mr. Parnell.

### THE PARNELL COMMISSION.

The strongest argument against Home Rule has always been found in the character of the leaders of the movement. The only possible chance of success for Mr. Gladstone's scheme, it was urged, was its being worked by men thoroughly loyal and friendly to England, and anxious to do justice to all sections of the Irish people; and it was said by the opponents of the scheme that the men to whom, as a matter of fact, the Home Rule Bill would commit the destinies of Ireland, were men most of whom were the determined enemies of this country, who had fostered the strife of classes in Ireland, who had incited the Irish peasantry to boycotting, intimidation, and outrage, and who had been in friendly relations with the most atrocious criminals.

These charges were emphatically repudiated by the Home Rulers and their friends, who maintained that their movement was a purely constitutional one, that they had never had anything to do with crime, and that they were perfectly loyal to the British Crown, and sought nothing more than the establishment of a Dublin Parliament.

On March 7, 1887, there appeared in the *Times* the first of a series of articles which were afterwards published in a pamphlet entitled *Parnellism and Crime*. In these articles charges were made against Mr. Parnell and his supporters, in and out of Parliament, the gravity of which may be estimated from the following passage in the first of the articles:—"In times not yet remote they would assuredly have been impeached for one tithe of their avowed defiance of the law, and in ages yet more robustly conscious of the difference between good and evil, their heads would have decorated the city gates."

In particular, Mr. Parnell and his associates were accused of having established an organisation called the National Land League of Ireland, "depending upon a system of intimidation carried out by the most brutal means, and resting ultimately on the sanction of murder."

These charges excited universal attention, which came to a climax when, on April 18, the *Times* published the facsimile of a letter dated 15th May 1882, and purporting to be signed by Mr. Parnell, in which he appeared to apologise for having as a matter of expediency openly condemned the murder of Lord Frederick Cavendish and Mr. Burke in the Phoenix Park, though he, in fact, thought that Mr. Burke had deserved his fate.

In November 1887 Mr. O'Donnell, formerly M.P. for Dungan, who conceived himself included in the accusations of the *Times*, brought an action for libel against the proprietor and publisher of that newspaper, in the course of which the charges against the Parnellites were repeated from the bar by Sir Richard Webster, the Attorney-General, counsel for the defendants. The ultimate result of these proceedings was that by the Special Commission Act, 1888, Justices Hannen, Day, and A. L. Smith were appointed a Commission to investigate the whole of the allegations against Mr. Parnell and his associates.

There is a great deal of popular misconception as to the result of the Commission's investigations. The "Parnell Letter" was naturally the subject which excited the greatest popular interest. It was proved that in accepting it the *Times* had been grossly imposed upon. The dramatic breakdown of the wretched impostor Pigott's evidence, followed by his flight and suicide, naturally impressed the mind of the public, and gave rise to the utterly unfounded belief on the part of many that the Parnellites had been "acquitted." This belief was, of course, fostered to the utmost of their power by Parnellite and Gladstonian speakers.

The following findings of the judges may be left to speak for themselves. It will be borne in mind that they are not the utterances of party politicians, but judicial findings in fact, based on sworn evidence taken in public, and subject to cross-examination, the facts which they set forth being as conclusively proved as any facts of human conduct can be.

"I. We find that the respondent Members of Parliament collectively were not members of a conspiracy having for its object to establish the absolute independence of Ireland, *but we find that some of them, together with Mr. Davitt, established and joined in the Land League organisation with the intention, by its means, to bring about the absolute independence of Ireland as a separate nation.* (This charge is found proved against Messrs. Davitt, M. Harris, Dillon, W. O'Brien, W. Redmond, J. O'Connor, J. Condon, and J. J. O'Kelly.)

"II. We find that the respondents *did enter into a conspiracy, by a system of coercion and intimidation, to promote an*

agrarian agitation against the payment of agricultural rents, for the purpose of impoverishing and expelling from the country the Irish landlords, who were styled the 'English garrison.'

- " IV. We find that the respondents did disseminate the *Irish World* and other newspapers tending to incite to sedition and the commission of other crime.
  - " V. We find that the respondents did not directly incite persons to the commission of crime other than intimidation, but that they did incite to intimidation, and that the consequence of their intimidation was that crime and outrage were committed by the persons incited.
  - " VI. We find, as to the allegation that the respondents did nothing to prevent crime and expressed no *bonâ fide* disapproval, that some of the respondents, and in particular Mr. Davitt, did express *bonâ fide* disapproval of crime and outrage, but that the respondents did not denounce the system of intimidation which led to crime and outrage, but persisted in it with knowledge of its effect.
  - " VII. We find that the respondents did defend persons charged with agrarian crime, and supported their families.
  - " VIII. We find, as to the allegation that the respondents made payments to compensate persons who had been injured in the commission of crime, that they did make such payments.
  - " IX. As to the allegation that the respondents invited the assistance and co-operation of, and accepted subscriptions of money from, known advocates of crime and the use of dynamite, we find that the respondents did invite the assistance and co-operation of, and accepted subscriptions of money from, Patrick Ford, a known advocate of crime and the use of dynamite. . . . It has been proved that the respondents invited and obtained the assistance and co-operation of the Physical Force party in America, including the Clan-na-Gael, and in order to obtain that assistance abstained from repudiating or condemning the action of that party.
- . . . . .
- " We have shown in the course of the report that Mr. Davitt was a member of the Fenian organisation and convicted as such, and that he received money from a fund which had been contributed for the purpose of outrage and crime, viz., the Skirmishing Fund. . . . With regard to the allegation that he was in close and intimate association with the party of violence in America, and mainly instrumental in bringing about the alliance between that party and the Parnellite and Home Rule party in America, we find that he was in such close and intimate association for the purpose of bringing about, and that he was mainly instrumental in bringing about, the alliance referred to.<sup>1</sup>

<sup>1</sup> *Report of the Special Commission, 1888, pp. 119-121.*

No comment can add weight to these words of the judges. Every one of their conclusions is amply justified by the facts set forth in the Report of the Commission, which deserves the most careful perusal. We give a very few illustrative extracts from it.

*The Land League and the Dynamiters.*

"We now proceed to consider the fourth charge, that the respondents disseminated the *Irish World* and other newspapers to incite to sedition and the commission of other crime.

"During 1880, 1881, 1882, the Land League disseminated throughout Ireland an American paper called the *Irish World*. It was edited by Patrick Ford, who, in conjunction with O'Donovan Rossa, had originated the Skirmishing Fund.

"During these years Patrick Ford was requested by Messrs. Davitt, Egan, Quinn, secretary of the Land League, and Brennan, to send this paper to Ireland, and it was proved that it was disseminated by the League marked for 'free distribution.'"

"On the 5th of May 1880 Davitt telegraphed to Patrick Ford as follows :—

"'Copies of the *Irish World* shall be sent to all parts of Ireland. Bishop Moron, of Ossory (a nephew of Cardinal Cullen), denounced it and the Land League. May Heaven open his eyes to the truth. Spread the light.'

"We give some extracts indicating the character of this publication :—

"On the 12th June 1880, in a leading article, was the following passage :—

"'Some think it is an open question whether the political agent called dynamite was first commissioned in Russia or first in Ireland. Well, it is not of much consequence which of the two countries takes precedence in this onward step towards "civilisation." Still we claim the merit for Ireland. True, the introductory blast was blown in England, and in the very centre of the enemy's headquarters. But the work itself was, no doubt, done by one or two Irish hands, which settles both the claim and the priority.'

"On the 21st August 1880 it published an extract from Davitt's speech at Scanton, in America (after the throwing out of the Compensation for Disturbance Bill) :—

"'If Ireland had the men and the arms, he would say settle the difficulty as America had done; but that was out of the question at this time, with England as one of the greatest and most rapacious empires on the earth. He was sure they all shed tears when they read of her defeat in Afghanistan.'

"On the 28th August 1880 the following leading article appeared :—

" 'Five years ago O'Donovan Rossa, through the columns of this paper, made known to the Irish people the idea of skirmishing. . . . He did not himself write the address that was published. Rossa called for \$5000. The first notion seemed to rise no higher than the rescue of a few Fenian prisoners then held in English gaols. He wanted badly to "knock a feather out of England's cap." That sort of theatrical work did not satisfy us. Nor did it commend itself to some others either. Rossa then said he was willing to burn some shipping in Liverpool. "Why not burn down London and the principal cities of England?" asked one of the two whom Rossa, in the beginning, associated with him in the movement. Rossa said he was in favour of anything. The question of loss of life was raised. "Yes," said he who had put forward the idea, "yes, it is war, and in all wars life must be lost; but in my opinion the loss of life under such circumstances would not be one-tenth that recorded in the least of the smallest battles between the South and the North." Some one suggested that plenty of thieves and burglars in London could be got to do this job. Here we interposed, "Why should you ask others to do what you yourself deem wrong? After all, would it not be yourself that would be committing the sin? Gentlemen, if you cannot go into this thing with a good conscience you ought not to entertain the notion at all."

" 'Here now two questions presented themselves: 1. Was the thing feasible? 2. If feasible, what would be the probable result?

" 'That the idea could be carried into execution, and that London could be laid in ashes in twenty-four hours, was to us self-evident. England could be invaded by a small and resolute band of men—say ten or a dozen, when a force of a thousand times this number, coming with ships and artillery, and banners flying, could not effect a landing. Spaniards in the days of the "Invincible Armada," and Zulus to-day, could not do what English-speaking Irishmen can accomplish. Language, skin-colour, dress, general manners, are all in favour of the Irish. Then tens of thousands of Irishmen, from long residence in the enemy's country, know England's cities well. Our Irish skirmishers would be well disguised. *They would enter London alone and unnoticed. When the night for action came—the night that the wind was blowing strong—this little band would deploy, each man setting about his own allotted task; and no man, save the captain of the band alone, knowing what any other man was to do, and, at the same instant, "strike with lightning" the enemy of their land and race. . . . In two hours from the word of command London would be in flames, shooting up to the heavens in fifty different places. Whilst this would be going on, the men could be still at work. The blazing spectacle would attract all*

eyes, and leave the "skirmishers" to operate with impunity in the darkness. . . . Of the feasibility of the thing we are perfectly satisfied. What would be the probable result of all this?

" 'Destroy London and you destroy her credit. Lay London in ashes and down go her banks, her insurance companies, and her prestige. . . . What then? Would not Englishmen play at this game too? Might not Dublin, Cork, Belfast, and Galway share the fate of London? Possibly, but not likely. But if so, then lay Liverpool, Manchester, Leeds, and Sheffield likewise in ashes! The four English cities are worth more than the four Irish cities. What then? Then the flag of the Revolution would appear in England. . . . Ireland would be England's regenerator as well as her own emancipator; and over the blackened ruins the English Republic and the Irish Republic, forgetting and forgiving the past, would sign a treaty of perpetual peace. . . . ' " <sup>1</sup>

" On the 11th September 1880 the following appeared:—

" Davitt's Advice.

" 'The closing words of Davitt's great speech at St. Louis, which we reported last week, were omitted by an oversight. They were an exhortation of his hearers to send the "*Irish World*" to Ireland as one of the deadliest batteries that has been opened on landlordism, and one of the surest ways of hastening the day of its final overthrow.' " <sup>2</sup>

" On the 26th January 1881 Mr. Parnell telegraphed to Ford as follows:—

" 'The Land League has scored a victory; the ten-to-two disagreement of the jury in face of the tremendous pressure of the Court, is everywhere accepted as having the force of an acquittal. . . . Thanks to the "*Irish World*" and its readers for their constant co-operation and substantial support in our great cause. Let them have no fear of its ultimate success."

" On the 2nd July 1881 a telegram from J. P. Quinn, the secretary of the Land League, was published:—

" 'We again appeal to the lovers of liberty and sympathisers with suffering humanity to send the *Irish World* to Ireland. The success of the cause is to be measured by the extent of the acceptance of its principles. When the *Irish World* is read in every hamlet in every county, it will be beyond the power of earth and hell to perpetuate landlordism in Ireland. MORE LIGHT.'

<sup>1</sup> Report, pp. 59, 61.

<sup>2</sup> Ibid., p. 61.

*The League and its Methods in Ireland.*

“In our judgment the leaders of the Land League who combined together to carry out the system of boycotting *were guilty of a criminal conspiracy*, one of the objects of which was . . . by a system of coercion and intimidation to promote an agrarian agitation against the payment of agricultural rents, for the purpose of impoverishing and expelling from the country the Irish landlords, who were styled the ‘English garrison.’

“We consider that this charge has been established against the following respondents<sup>1</sup> :—

C. S. Parnell	<i>Jeremiah D. Sheehan</i>
<i>John Dillon</i>	James Leahy
Joseph G. Biggar	Edward Larny
<i>Thomas Sexton</i>	<i>John Barry</i>
<i>T. P. O'Connor</i>	<i>Dr. Tanner</i>
M. Harris	<i>M. Healy</i>
<i>W. O'Brien</i>	Thomas Quinn
<i>T. D. Sullivan</i>	<i>Daniel Crilly</i>
<i>T. M. Healy</i>	Henry Campbell
<i>T. Harrington</i>	<i>P. J. Foley</i>
E. Harrington	<i>J. J. Clancy</i>
<i>A. O'Connor</i>	<i>J. F. X. O'Brien</i>
<i>J. E. Kenny</i>	R. Lalor
<i>W. Redmond</i>	Thomas Mayne
<i>J. E. Redmond</i>	<i>J. Deasy</i>
<i>Justin M'Carthy</i>	<i>J. C. Flynn</i>
<i>J. O'Connor</i>	<i>Jeremiah Jordan</i>
<i>T. J. Condon</i>	W. J. Lane
<i>J. J. O'Kelly</i>	<i>D. Sheehy</i>
Andrew Cummins	<i>Donal Sullivan</i>
J. R. Cox	G. M. Byrne
Patrick O'Hea	<i>Michael Davitt</i> ”

As to the relations of these gentlemen with boycotting there is, of course, no question. Their relations with the “ultimate sanctions” employed by the League are thus described by the judges :—

“But while we acquit the respondents of having directly or intentionally incited to murder, *we find that the speeches made, in which land-grabbers and other offenders against the League were denounced as traitors, and as being as bad as informers—the urging young men to procure arms, and the dissemination of the newspapers above referred to—had the effect of causing an*

<sup>1</sup> Report, p. 54. The twenty-eight names in italics are those of Members of Parliament who formed part of Mr. Gladstone's majority in the division on the second reading of the Home Rule Bill, April 21, 1893.

No evidence was given against the other respondents, but it was stated by counsel on their behalf that the whole sixty-five stood on the same public platform.



*excitable peasantry to carry out the laws of the Land League even by assassination.*

"(Out of the many cases proved before us of agrarian outrage following upon breaking the rules of the Land League, we may cite as instances the following:—

"JAMES MALONEY.—In May 1880 James Maloney took for six months, of Mr. Ormsby, the grazing of a farm which a prior tenant had given up to his landlord. On the 14th June 1880 he was dragged out of his bed at night into the street by some unknown men, a handkerchief was tied over his eyes, and he was then asked if he was going to give up the grazing to the landlord. He was then carded, his ears were bored, he was knocked down and kicked, and whilst down a shot was fired over him.

"PETER DOHERTY took a farm of Mr. Walter Blake, in co. Galway, which had been surrendered by a man called Kaniff. After he had entered, viz., on the 12th March 1881, two of his cattle were poisoned, he was boycotted, but he still continued to hold the farm, and on the 2nd November 1881, at night, he was shot dead.

"JAMES CONNOR, about the month of May 1881, became tenant of a piece of bogland which James Keogh had vacated. During the fortnight Connor was tenant of the land, he and his wife were boycotted. They could get no food other than that brought to them by the police at night. They were shouted at when leaving chapel, and when they went to their neighbouring town, Loughrea, Connor was hooted as a land-grabber. On the 11th May 1881, as Connor was driving his wife to her father's funeral, he was shot dead. After the murder the widow was boycotted as before. The neighbours would not attend the funeral, nor work for her, and to obtain labour she had to go a distance of thirteen miles.

"HOULIGAN.—In September 1884 one Houligan had taken a farm from which a shoemaker named Rane, or Reane, had been evicted. At a meeting of members of the Killoo branch of the League, co. Longford, Houligan's conduct was discussed, and John Jago, a member of the League, was appointed with Kane to assault Houligan. They afterwards did so, and Houligan died of a blow which he received from Jago. These facts were proved by Jago, whose evidence was corroborated and not contradicted in essential particulars."<sup>1</sup>

These four cases are fairly representative of the numerous cases of outrage cited in the Report, and of the enormous mass of crime of which the Judges say—

<sup>1</sup> Report, pp. 77-81.

"We find that the increase in agrarian crime during those years (1879-82) . . . was mainly due to the action of the Land League, its founders and leaders."

Many pages might be filled with similar extracts. The Report itself should be carefully studied. Naturally the Irish members implicated, and their Gladstonian friends, do all they can to get it shelved as ancient history. It cannot be too clearly kept before the public mind that most of the men thus saddled with responsibility for the guilty deeds of the Land League are still at the head of the Home Rule movement, are to-day keeping a British Government in office, and would sit on the front benches of an Irish Parliament. There are some crimes which should neither be forgotten nor forgiven.

### THE PARNELLITE SPLIT.<sup>1</sup>

Captain O'Shea's petition for divorce, in which Mr. Parnell was cited as co-respondent, was filed on December 28, 1889. On November 17, 1890, the jury found that the charges against the respondent and co-respondent had been proved, and decree *nisi* was pronounced by Mr. Justice Butt. No appearance had been made for Mr. Parnell, notwithstanding his repeated declarations of innocence, which had been implicitly accepted by the Gladstonians.

With the facts of the case itself, or the private character of the late leader of the Irish party, we are not concerned. Some of the events which resulted from the case are, however, of importance, both from the information which they brought to the knowledge of the public, and the "object lessons in Home Rule" which they provided.

The day after the verdict the usual fortnightly meeting of the National League was held in Dublin. Notwithstanding what had happened it was unanimously resolved to stand by Mr. Parnell as leader of the Irish party. Mr. J. E. Redmond, from the chair, described "the talk of Mr. Parnell's political position having been prejudiced in the remotest degree by what has recently occurred in London" as "the wildest and most grotesque absurdity." Mr. W. A. Macdonald said that "private and personal matters of this kind had nothing to do, and ought to have nothing to do, with a man's position as a public man," and Mr. W. H. K. Redmond stigmatised all of another way of thinking as "mean hounds." On November 20 a great public meeting was held in the Leinster Hall, Dublin, under the presidency of the Lord Mayor (Mr. Kennedy), at which

<sup>1</sup> For full details see *The Parnellite Split* (Times Office, 1891).

Mr. Justin M'Carthy, Mr. Healy, and Mr. Samuel Walker, who had been Mr. Gladstone's Irish Attorney-General, and is now Lord Chancellor of Ireland, were the chief speakers, and at which Mr. Parnell was declared to possess the confidence of the Irish people, and the Parliamentary party were enthusiastically supported in their adherence to him. Doubt was cast on "the decision of an English judge and jury in which an Irishman was involved," and English interference in the whole matter was fiercely repudiated. The Catholic clergy were silent; so was Mr. Gladstone. On November 25 Parliament met, and Mr. Parnell was unanimously re-elected chairman of the Irish party.

In the meantime the revelation of Mr. Parnell's depravity and duplicity had excited the greatest indignation in England, and feeling within the Gladstonian party was rising high. Mr. Gladstone, as he has since told us,<sup>1</sup> "determined to watch the state of feeling in the country," and apparently waited for the guidance of that authority before making any sign.

On November 26 a letter was published addressed by him to Mr. John Morley, stating that he had arrived at the conclusion that—

"Notwithstanding the splendid services of Mr. Parnell to his country, his continuance at the present moment in the leadership would be productive of consequences disastrous in the highest degree to the cause of Ireland. . . . The continuance which I speak of . . . would render my retention of the leadership of the Liberal party, based as it has been mainly upon the prosecution of the Irish cause, almost a nullity."

Mr. Parnell said that he did not know of this letter till after his re-election as chairman. Mr. M'Carthy says he knew of it before.<sup>2</sup> We need not inquire which of these gentlemen stated the facts accurately. Mr. Parnell's reply to Mr. Gladstone's letter was an address to the Irish people, in which he gave details of his confidential negotiations with Mr. Gladstone at Hawarden in November 1889. In particular, he said that Mr. Gladstone had stated that in the opinion of himself and his colleagues it would be necessary to reduce the number of Irish members in the House of Commons from 103 to 32, to withhold from the Irish Parliament the power of dealing with the Land Question, to retain control of the constabulary for an indefinite period, and to retain for ten or twelve years the appointment of judges, resident magistrates, &c. These statements were contested on several points by Mr. Gladstone. The

<sup>1</sup> At Retford, December 11, 1890.

<sup>2</sup> An interesting account of these negotiations will be found in Mr. H. W. Lucy's *Diary of the Salisbury Parliament*, pp. 316, *et seq.*

important matter, however, is that Mr. Parnell, who in 1886 had, on behalf of the Irish people, accepted as a final settlement of the Irish Question a scheme of Home Rule burdened with greater limitations than these, now repudiated these limitations, that in doing so he was supported by a large number of his colleagues,<sup>1</sup> and that on his repudiation he appealed to the people of Ireland.

The result of Mr. Gladstone's action was that a large section of the Irish members turned on Mr. Parnell and demanded his resignation. Then followed the meetings of the "Irish Parliament," as Mr. Leamy called it, in Committee-room No. 15, at Westminster. The debate lasted for a week, and was carried on with an amount of unfairness, personality, and brutality of language, which gave to the world a most instructive example of how a Parliament similarly composed sitting at Dublin would probably deal with a critical question.<sup>2</sup> The result of the debate was that a majority of members of the party voted for Mr. Parnell's deposition. The vote was treated as null by the Parnellites, whereupon the majority, forty-five in number, withdrew from the party, and formed a separate organisation under the leadership of Mr. Justin M'Carthy.

"The contest was immediately transferred to Ireland, where a seat was vacant in North Kilkenny, for which Sir John Pope Hennessy was a candidate. Mr. Parnell hastened to Dublin, where the mob was with him as well as the organisation of the League, the 'physical force' party, and the *Freeman's Journal*. He took forcible possession of *United Ireland*, turning out, with crowbar and cudgel, the staff who were working it in Mr. O'Brien's interest, and then proceeded to Cork, where he was enthusiastically welcomed, and where his opponents could hardly get a hearing. At Kilkenny it was different. The priests, for whom Sir J. P. Hennessy had declared, were active and powerful: Mr. Scully, the Parnellite nominee, had no special influence; the Fenian element was only strong in the towns. The strength of the anti-Parnellites was put forth in Sir J. P. Hennessy's cause. Mr. Davitt and Mr. Healy, both known to be unfriendly to their former leader, bitterly assailed him, and Mr. Parnell retorted still more fiercely. The language used on both sides far surpassed the worst licence of bygone election times in England; rival mobs armed with shillelaghs met hand to hand, and priests and patriots

<sup>1</sup> E.g., Mr. John Redmond (Parnellite) spoke of the Bill as described by Mr. Parnell as "a sham and a fraud on Nationalist aspirations" (*Freeman's Journal*, December 2, 1890). Mr. Healy (anti-Parnellite) said, "We believe that the Home Rule Bill outlined in Mr. Parnell's manifesto is not one the Irish people would accept. I cordially join the sentiment, and pledge myself to accept no such measure" (*ibid.*, December 5).

<sup>2</sup> See p. 268.

indiscriminately took part in the fray. . . . Eventually Sir J. P. Hennessy was returned by a majority of nearly two to one over Mr. Scully."<sup>1</sup>

As the proceedings in Committee-room No. 15 had shown the British public how an Irish Parliament would conduct debate, so the Kilkenny election, at which Mr. Davitt was struck over the head with a bludgeon, and Mr. Parnell had lime thrown in his face,<sup>2</sup> formed a striking object-lesson as to what Irish elections would probably be under a Home Rule regime.

During 1891 the object-lesson was repeated in North Sligo and Carlow. Mr. Parnell's death, which took place on October 6, embittered the strife of parties in Ireland; and again at Cork and Waterford the spectacle was seen of rival factions of Irish patriots only prevented from flying at each other's throats by the presence of the Queen's troops and police. At the General Election of 1892 similar scenes were repeated all over Ireland, while the events of the Meath elections exhibited in the most striking manner the unbounded power of the Roman Catholic priesthood over great masses of the Irish electorate, and the unscrupulous and tyrannical way in which that power is often used.<sup>3</sup>

We need not follow the squalid history of the Irish patriots' domestic quarrels. Some instructive examples of their controversial methods are given in Part III., pp. 268 to 270.

### MR. GLADSTONE'S RETURN TO OFFICE

#### THE BILL OF 1893.

The General Election returned Mr. Gladstone to office at the head of a motley party, which on the question of Home Rule gave him a majority of 40. On February 13, 1893, he introduced his second Home Rule Bill into the House of Commons.

The most notable change which the new scheme showed when compared with that of 1886 was the "in-and-out" clause, by which it was provided that Irish members, instead of being excluded from the Imperial Parliament, should sit there in the number of 80, but should not speak or vote on purely British questions. The new Irish Legislature was to consist of an Assembly of 103 members, and a Council of 48, the latter elected on a £20 franchise; an Irish Executive was to advise the Viceroy; numerous subjects were reserved from the powers

<sup>1</sup> *Times Annual*, 1890.

<sup>2</sup> *Freeman's Journal*, December 17, 1890. The lime-throwing was denied. Mud, stones, and flour were certainly thrown, and one of Mr. Parnell's eyes was injured.

<sup>3</sup> See p. 273.

of the Irish Legislature ; a financial scheme was submitted under which the Customs receipts collected in Ireland were to be taken as the Irish contribution to Imperial expenditure. Land legislation was reserved from the Irish Parliament for three years.

The following is the text of the Bill as it emerged from Committee :<sup>1</sup>—

### A BILL TO AMEND THE PROVISION FOR THE GOVERNMENT OF IRELAND.

Whereas it is expedient that, without impairing or restricting the supreme authority of Parliament, an Irish Legislature should be created for such purposes in Ireland as in this Act mentioned.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

#### LEGISLATIVE AUTHORITY.

1.—On and after the appointed day there shall be in Ireland a Legislature consisting of Her Majesty the Queen and of two Houses, the Legislative Council and the Legislative Assembly.

2.—With the exceptions and subject to the restrictions in this Act mentioned, there shall be granted to the Irish Legislature power to make laws for the peace, order, and good government of Ireland in respect of matters exclusively relating to Ireland or some part thereof. [Provided that, notwithstanding anything in this Act contained, the supreme power and authority of the Parliament of the United Kingdom of Great Britain and Ireland shall remain unaffected and undiminished over all persons, matters, and things within the Queen's dominions.]

3.—The Irish Legislature shall not have power to make laws in respect of the following matters or any of them :—

(1.) The Crown, or the succession to the Crown or a Regency, or the Lord Lieutenant as representative of the Crown ; or

(2.) The making of peace or war or matters arising from a state of war [the regulation of the conduct of any portion of Her Majesty's subjects during the existence of hostilities between foreign States with which Her Majesty is at peace, in respect of such hostilities ; or]

(3.) [The Navy, Army, Militia, Volunteers, and any other military forces], or the defence of the realm [or forts, permanent military camps, magazines, arsenals, dockyards, and other needful buildings, or any places purchased for the erection thereof] ; or

(4.) Treaties and other relations with foreign States, or the relations between different parts of Her Majesty's dominions, or offences connected with such treaties or relations [or procedure connected with the extradition of criminals under any treaty] ; or

(5.) Dignities or titles of honour ; or

(6.) Treason, treason-felony, alienage [aliens as such], or naturalisation ; or

(7.) Trade with any place out of Ireland, or quarantine, or navigation [including merchant shipping] (except as respects inland waters and local health or harbour regulations) ; or

(8.) [Lighthouses, buoys, or beacons within the meaning of the Merchant

<sup>1</sup> It has been thought most convenient to print the Bill as it stood at this stage, as embodying Gladstonian Home Rule in its most recent definite form. Amendments are indicated by square brackets. A few of the less important sections have been omitted.

The Bill as introduced may be obtained from the Queen's printers, price 3½d. It appeared in the newspapers of February 20, 1893.



Shipping Act, 1854] (except so far as they can consistently with any general Act of Parliament be constructed or maintained by a local harbour authority); or

(9.) Coinage, legal tender, or [any change in] the standard of weights and measures; or

(10.) Trade marks, merchandise marks, copyright, or patent rights.

[Provided always that nothing in this section shall prevent the passing of any Irish Act to provide for any charges imposed by Act of Parliament.]

[It is hereby declared that the exceptions from the powers of the Irish Legislature contained in this section are set forth and enumerated for greater certainty and not so as to restrict the generality of the limitation imposed in the previous section on the powers of the Irish Legislature.]

Any law made in contravention of this section shall be void.

4.—The powers of the Irish Legislature shall not extend to the making of any law—

(1.) Respecting the establishment or endowment of religion, or prohibiting the free exercise thereof [whether directly or indirectly]; or

(2.) Imposing any disability, or conferring any privilege [advantage, or benefit], on account of religious belief; or

(3.) [Diverting the property of any religious body] abrogating or prejudicially affecting the right to establish or maintain any place of denominational education or any denominational institution or charity; or

(4.) Prejudicially affecting the right of any child to attend a school receiving public money, without attending the religious instruction at that school; or

(5.) Whereby any person may be deprived of life, liberty, or property without due process of law [in accordance with settled principles or precedents], or may be denied the equal protection of the laws, or whereby private property may be taken without just compensation; or

(6.) Whereby any existing corporation incorporated by Royal Charter or by any local or general Act of Parliament (not being a corporation raising for public purposes, taxes, rates, cess, dues, or tolls, or administering funds so raised) may, unless it consents, or the leave of Her Majesty is first obtained on address from the two Houses of the Irish Legislature, be deprived of its rights, privileges, or property, without due process of law [in accordance with settled principles and precedents].

Any law made in contravention of this section shall be void.

#### EXECUTIVE AUTHORITY.

5.—(1.) The executive power in Ireland shall continue vested in Her Majesty the Queen, and the Lord Lieutenant [or other chief executive officer for the time being appointed in his place], on behalf of Her Majesty, shall exercise any prerogatives or other executive power of the Queen, the exercise of which may be delegated to him by Her Majesty, and shall, in Her Majesty's name, summon, prorogue, and dissolve the Irish Legislature. [Such delegation of prerogative or other executive power shall be laid upon the tables of both Houses of Parliament as soon as conveniently may be.]

(2.) There shall be an Executive Committee of the Privy Council of Ireland to aid and advise in the government of Ireland, being of such numbers, and comprising persons holding such offices [under the Crown], as Her Majesty may think fit, or as may be directed by Irish Act.

(3.) The Lord Lieutenant shall, on the advice of the said Executive Committee, give or withhold the assent of Her Majesty to Bills passed by the two Houses of the Irish Legislature, subject, nevertheless, to any instructions given by Her Majesty in respect of any such Bill.

#### CONSTITUTION OF LEGISLATURE.

6.—(1.) The Irish Legislative Council shall consist of 48 councillors.

(2.) Each of the constituencies mentioned in the First Schedule to this Act shall return the number of councillors named opposite thereto in that schedule.

(3.) Every man shall be entitled to be registered as an elector, and, when registered, to vote at an election of a councillor for a constituency, who owns or occupies any land or tenement in the constituency of a ratable value of more



than £20, subject to the like conditions as a man is entitled at the passing of this Act to be registered and vote as a Parliamentary elector in respect of an ownership qualification or of the qualification specified in section 5 of the Representation of the People Act, 1884, as the case may be: Provided that a man shall not be entitled to be registered, nor if registered to vote, at an election of a councillor in more than one constituency in the same year.

(4.) The term of office of every councillor shall be eight years, and shall not be affected by a dissolution; and one-half of the councillors shall retire in every fourth year, and their seats shall be filled by a new election.

7.—(1.) The Irish Legislative Assembly shall consist of one hundred and three members, returned by the existing Parliamentary constituencies in Ireland, or the existing divisions thereof, and elected by the Parliamentary electors for the time being in those constituencies or divisions.

(2.) The Irish Legislative Assembly when summoned may, unless sooner dissolved, have continuance for five years from the day on which the summons directs it to meet, and no longer.

(3.) After six years from the passing of this Act, the Irish Legislature may alter the qualification of the electors, and the constituencies, and the distribution of the members among the constituencies, provided that in such distribution due regard is had to the population of the constituencies.

8.—If a Bill or any provision of a Bill adopted by the Legislative Assembly is lost by the disagreement of the Legislative Council, and after a dissolution, or the period of two years from such disagreement, such Bill, or a Bill for enacting the said provision, is again adopted by the Legislative Assembly, and fails within three months afterwards to be adopted by the Legislative Council, the same shall forthwith be submitted to the members of the two Houses deliberating and voting together thereon, and shall be adopted or rejected according to the decision of the majority of those members present and voting on the question.

#### IRISH REPRESENTATION IN HOUSE OF COMMONS.

9.—Unless and until Parliament otherwise determines the following provisions shall have effect:—

(1.) After the appointed day each of the constituencies named in the Second Schedule to this Act shall return to serve in Parliament the number of members named opposite thereto in that schedule, and no more, and Dublin University shall cease to return any member.

(2.) The existing divisions of the constituencies shall, save as provided in that schedule, be abolished.<sup>1</sup>

(3.) The election laws and the laws relating to the qualification of Parliamentary electors shall not, so far as they relate to Parliamentary elections, be altered by the Irish Legislature, but this enactment shall not prevent the Irish Legislature from dealing with any officers concerned with the issue of writs of election, and if any officers are so dealt with, it shall be lawful for Her Majesty by Order in Council to arrange for the issue of such writs, and the writs issued in pursuance of such Order shall be of the same effect as if issued in manner heretofore accustomed.

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<sup>1</sup> Here followed the "in-and-out" clause, viz:—

(3) An Irish representative Peer in the House of Lords, and a member of the House of Commons for an Irish constituency, shall not be entitled to deliberate or vote on (a) any Bill, or motion in relation thereto, the operation of which Bill or motion is confined to Great Britain or some part thereof; or (b) any motion or resolution relating solely to some tax not raised or to be raised in Ireland; or (c) any vote or appropriation of money made exclusively for some service not mentioned in the Third Schedule to this Act; or (d) any motion or resolution exclusively affecting Great Britain or some part thereof, or some local authority or some person or thing therein; or (e) any motion or resolution incidental to any such motion or resolution, as either is last mentioned or relates solely to some tax not raised or to be raised in Ireland, or incidental to any such vote or appropriation of money as aforesaid.

(4) Compliance with the provisions of this section shall not be questioned otherwise than in each House, in manner provided by the House.

## FINANCE.

[10.—(1.) Until the transfer hereinafter mentioned the existing taxes in Ireland shall be imposed by Act of Parliament, and all matters relating to those taxes or to the hereditary revenues of the Crown in Ireland, or to the collection or management thereof, shall be regulated by Act of Parliament.

(2.) For the purposes of this Act the public revenue of Ireland shall be divided into general revenue and special revenue, and the general revenue shall consist of—

- (a) the gross revenue collected in Ireland from the said taxes ;
- (b) the portion due to Ireland of the hereditary revenues of the Crown which are managed by the Commissioners of Woods ; and
- (c) an annual sum for the customs and excise duties (if any) collected in Great Britain on articles consumed in Ireland ;

Provided that an annual sum for the customs and excise duties (if any) collected in Ireland on articles consumed in Great Britain shall be deducted from the revenue collected in Ireland, and treated as revenue collected in Great Britain.

(3.) The above-mentioned annual sums shall be determined by the order of a committee appointed jointly by the Treasury and the Irish Government, in equal proportions, with power to choose a chairman, or in default a chairman shall be chosen by Her Majesty, and the chairman shall have a second or casting vote, and such order shall be laid before both Houses of Parliament.

(4.) One-third part of the general revenue of Ireland, and also that portion of any Imperial miscellaneous revenue to which Ireland may claim to be entitled, whether specified in the Third Schedule to this Act or arising thereafter, shall be paid into the Exchequer of the United Kingdom as the contribution of Ireland to Imperial liabilities and expenditure as defined in that schedule.

(5.) The residue of the general revenue of Ireland shall, without being paid into the Exchequer of the United Kingdom, form part of the special revenue of Ireland.

(6.) The civil charges of government in Ireland shall, subject as in this Act mentioned, be borne after the appointed day by Ireland and regulated by Irish Act.

(7.) Where Parliament imposes any taxes expressly for the purpose of war, or of any special expenditure which Parliament declares to be war expenditure, or to be extraordinary expenditure for the defence of the realm, the revenue from those taxes which is collected in Ireland or on articles consumed in Ireland shall be paid into the Exchequer of the United Kingdom, and, subject to the like deductions as above mentioned in respect of articles consumed in Great Britain, shall be treated as the contribution of Ireland for the said purpose.

(8.) After six years from the appointed day the imposition of the existing taxes in Ireland other than duties of customs or excise, and the regulation of all matters relating to the existing taxes in Ireland other than the duties of customs, and to the collection and management thereof, shall, save as respects duties on articles consumed in Great Britain, be transferred to the Irish Legislature, and the arrangements made by this Act for the contribution of Ireland to Imperial liabilities and expenditure shall be revised.]

[11.—(1.) On and after the appointed day there shall be an Irish Exchequer and Consolidated Fund separate from those of the United Kingdom.

(2.) The Irish Legislature, in order to provide for the public service of Ireland, may impose any taxes other than the existing taxes in Ireland, and all matters relating to the taxes so imposed, or to the miscellaneous public revenue of Ireland connected with the civil charges of government in Ireland, or to the collection and management of such taxes or revenue, shall be regulated by Irish Act, and the proceeds shall form part of the special revenue of Ireland.

(3.) The special revenue, and, save as in this Act mentioned, all the public revenue of Ireland, shall be paid into the Irish Exchequer, and all sums paid into the Irish Exchequer shall form a Consolidated Fund, and be appropriated to the public service of Ireland by Irish Act, and shall not be applied for any purpose for which they cannot be so appropriated.]

12.—(1.) There shall be charged on the Irish Consolidated Fund in favour of

the Exchequer of the United Kingdom as a first charge on that fund all sums which—

- (a) are payable to that Exchequer from the Irish Exchequer ; or
- (b) are required to repay to the Exchequer of the United Kingdom sums issued to meet the dividends or sinking fund on guaranteed land stock under the Purchase of Land (Ireland) Act, 1891 ; or
- (c) otherwise have been or are required to be paid out of the Exchequer of the United Kingdom in consequence of the non-payment thereof out of the Exchequer of Ireland or otherwise by the Irish Government.

(2.) If at any time the Controller and Auditor-General of the United Kingdom is satisfied that any such charge is due, he shall certify the amount of it, and the Treasury shall send such certificate to the Lord Lieutenant, who shall thereupon by order, without any counter-signature, direct the payment of the amount from the Irish Exchequer to the Exchequer of the United Kingdom, and such order shall be duly obeyed by all persons, and until the amount is wholly paid no other payment shall be made out of the Irish Exchequer for any purpose whatever.

(3.) There shall be charged on the Irish Consolidated Fund next after the foregoing charge—

(a) all sums, for dividends or sinking fund on guaranteed land stock under the Purchase of Land (Ireland) Act, 1891, which the Land Purchase Account and the Guarantee Fund under that Act are insufficient to pay :

(b) all sums due in respect of any debt incurred by the Government of Ireland, whether for interest, management, or sinking fund ;

(c) an annual sum of five thousand pounds for the expenses of the household and establishment of the Lord Lieutenant ;

(d) all existing charges on the Consolidated Fund of the United Kingdom in respect of Irish services other than the salary of the Lord Lieutenant ; and

(e) the salaries and pensions of all Judges of the Supreme Court or other superior Court in Ireland or of any country or other like Court, who are appointed after the passing of this Act, and are not the Exchequer Judges hereafter mentioned.

(4.) Until all charges created by this Act upon the Irish Consolidated Fund and for the time being due are paid, no money shall be issued from the Irish Exchequer for any other purpose whatever.

13.—(1.) All existing charges on the Church property in Ireland—that is to say, all property accruing under the Irish Church Act, 1869, and transferred to the Irish Land Commission by the Irish Church Amendment Act, 1881—shall, so far as not paid out of the said property, be charged on the Irish Consolidated Fund, and any of those charges guaranteed by the Treasury, if and so far as not paid, shall be paid out of the Exchequer of the United Kingdom.

(2.) Subject to the existing charges thereon, the said Church property shall belong to the Irish Government, and be managed, administered, and disposed of as directed by Irish Act.

14.—(1.) All sums paid or applicable in or towards the discharge of the interest or principal of any local loan advanced before the appointed day on security in Ireland or otherwise in respect of such loan, which but for this Act would be paid to the National Debt Commissioners, and carried to the Local Loans Fund, shall, after the appointed day, be paid, until otherwise provided by Irish Act, to the Irish Exchequer.

(2.) For the payment to the Local Loans Fund of the principal and interest of such loans the Irish Government shall after the appointed day pay by half-yearly payments an annuity for forty-nine years, at the rate of four per cent. on the principal of the said loans, exclusive of any sums written off before the appointed day from the account of assets of the Local Loans Fund, and such annuity shall be paid from the Irish Exchequer to the Exchequer of the United Kingdom, and when so paid shall be forthwith paid to the National Debt Commissioners for the credit of the Local Loans Fund.

(3.) After the appointed day, money for loans in Ireland shall cease to be advanced either by the Public Works Loan Commissioners or out of the Local Loans Fund.

[15.—(1.) So much of any Act as directs payment to the Local Taxation (Ireland) Account of any share of probate, excise, or customs duties shall, together with any enactment amending the same, be repealed as from the appointed day

without prejudice to the adjustment of balances after that day ; but until otherwise provided by Irish Act, the like amounts shall be paid out of the Irish Exchequer to the Guarantee Fund or Local Taxation (Ireland) Account as would have been paid out of the said duties if this Act had not passed.

(2.) The like amounts shall continue to be paid out of the aggregate of the said duties to the Local Taxation Accounts in England and Scotland as would have been paid if this Act had not passed, and any residue of the said duties which forms part of the revenue of Great Britain shall be paid into the Exchequer of the United Kingdom.

(3.) The advances made by the issue of guaranteed land stock under the Purchase of Land (Ireland) Act, 1891, shall not, save as in section nine of that Act provided, exceed twenty-five times the share of each county in the guarantee fund, ascertained on the basis of the financial year in which this Act is passed.

(4.) The general revenue of Ireland and the sums payable thereout shall be paid to and from such account and in such manner as the Treasury direct.

(5.) Where any sum payable by virtue of this Act to the Exchequer of the United Kingdom is required by law to be forthwith paid to the National Debt Commissioners or to any other person, that sum may be so paid without being paid into the Exchequer.

(6.) All sums by this Act made payable from the Exchequer of the United Kingdom shall be charged on and paid out of the Consolidated Fund of the United Kingdom.]

16.—(1.) Bills for appropriating any part of the public revenue or for imposing any tax shall originate in the Legislative Assembly.

(2.) It shall not be lawful for the Legislative Assembly to adopt or pass any vote, resolution, address, or Bill for the appropriation, for any purpose, of any part of the public revenue of Ireland, or of any tax, except in pursuance of a recommendation from the Lord Lieutenant in the session in which such vote, resolution, address, or Bill is proposed.

17.—(1.) Two of the Judges of the Supreme Court in Ireland shall be Exchequer Judges, and shall be appointed under the Great Seal of the United Kingdom ; and their salaries and pensions shall be charged on and paid out of the Consolidated Fund of the United Kingdom.

(2.) The Exchequer Judges shall be removable only by Her Majesty on address from the two Houses of Parliament, and each such Judge shall, save as otherwise provided by Parliament, receive the same salary and be entitled to the same pension as is at the time of his appointment fixed for the puisne Judges of the Supreme Court, and during his continuance in office his salary shall not be diminished, nor his right to pension altered, without his consent.

(3.) An alteration of any rules relating to such legal proceedings as are mentioned in this section shall not be made except with the approval of Her Majesty the Queen in Council ; and the sittings of the Exchequer Judges shall be regulated with the like approval.

(4.) All legal proceedings in Ireland, which are instituted at the instance of or against the Treasury or Commissioners of Customs, or any of their officers, or relate to the election of members to serve in Parliament, or touch any matter not within the powers of the Irish Legislature, or touch any matter affected by a law which the Irish Legislature have not power to repeal or alter, shall, if so required by any party to such proceedings, be heard and determined before the Exchequer Judges or (except where the case requires to be determined by two Judges) before one of them, and in any such legal proceeding an appeal shall, if any party so requires, lie from any Court of first instance in Ireland to the Exchequer Judges, and the decision of the Exchequer Judges shall be subject to appeal to Her Majesty the Queen in Council and not to any other tribunal.

(5.) If it is made to appear to an Exchequer Judge that any decree or judgment in any such proceeding as aforesaid has not been duly enforced by the sheriff or other officer whose duty it is to enforce the same, such Judge shall appoint some officer whose duty it shall be to enforce that judgment or decree, and for that purpose such officer and all persons employed by him shall be entitled to the same privileges, immunities, and powers as are by law conferred on a sheriff and his officers.

(6.) The Exchequer Judges, when not engaged in hearing and determining

such legal proceedings as above in this section mentioned, shall perform such of the duties ordinarily performed by other Judges of the Supreme Court in Ireland as may be assigned by Her Majesty the Queen in Council.

(7.) All sums recovered by the Treasury or the Commissioners of Customs or any of their officers, or recovered under any Act relating to duties of Customs, shall, notwithstanding anything in any other Act, be paid to such public account as the Treasury or the Commissioners direct.

#### POST OFFICE.

[18.—(1.) Until the arrangements for the contribution of Ireland to Imperial liabilities and expenditure are revised as in this Act mentioned, the duties on postage in Ireland shall be imposed, and all matters relating to those duties or to the Post Office shall be regulated, by Act of Parliament.

(2.) If the Irish Post Office revenue is less than the Irish Post Office expenditure, the deficiency shall be paid to the Exchequer of the United Kingdom out of the Irish Exchequer, but if it is more, the excess shall be paid as part of the expenses attending the execution of the Post Office Act, and shall form part of the special revenue of Ireland; the amount of such revenue and expenditure shall be determined by an order of the committee appointed as provided by this Act jointly by the Treasury and the Irish Government in relation to the general revenue of Ireland, and such order shall be laid before the House of Commons.]

#### IRISH APPEALS AND DECISIONS OF CONSTITUTIONAL QUESTIONS.

19.—(1.) The appeal from Courts in Ireland to the House of Lords shall cease; and where any person would, but for this Act, have a right to appeal from any Court in Ireland to the House of Lords, such person shall have the like right to appeal to Her Majesty the Queen in Council; and the right so to appeal shall not be affected by any Irish Act; and all enactments relating to appeals to Her Majesty the Queen in Council, and to the Judicial Committee of the Privy Council, shall apply accordingly.

(2.) When the Judicial Committee sit for hearing appeals from a Court in Ireland, there shall be present not less than four Lords of Appeal, within the meaning of the Appellate Jurisdiction Act, 1876, and at least one member who is or has been a Judge of the Supreme Court in Ireland.

(3.) A rota of Privy Councillors to sit for hearing appeals from Courts in Ireland shall be made annually by Her Majesty in Council, and the Privy Councillors, or some of them, on that rota shall sit to hear the said appeals. A casual vacancy in such rota during the year may be filled by Order in Council.

(4.) Nothing in this Act shall affect the jurisdiction of the House of Lords to determine the claims to Irish peerages.

20.—(1.) If it appears to the Lord Lieutenant or a Secretary of State expedient in the public interest that steps shall be taken for the speedy determination of the question whether any Irish Act or any provision thereof is beyond the powers of the Irish Legislature, he may represent the same to Her Majesty in Council, and thereupon the said question shall be forthwith referred to and heard and determined by the Judicial Committee of the Privy Council, constituted as if hearing an appeal from a Court in Ireland.

(2.) Upon the hearing of the question such persons as seem to the Judicial Committee to be interested may be allowed to appear and be heard as parties to the case, and the decision of the Judicial Committee shall be given in like manner as if it were the decision of an appeal, the nature of the report or recommendation to Her Majesty being stated in open Court.

(3.) Nothing in this Act shall prejudice any other power of Her Majesty in Council to refer any question to the Judicial Committee or the right of any person to petition Her Majesty for such reference.

#### LORD LIEUTENANT AND CROWN LANDS.†

21.—(1.) Notwithstanding anything to the contrary in any Act, every subject of the Queen shall be qualified to hold the office of Lord Lieutenant of Ireland, without reference to his religious belief.



(2.) The term of office of the Lord Lieutenant shall be six years, without prejudice to the power of Her Majesty the Queen at any time to revoke the appointment.

22.—Her Majesty the Queen in Council may place under the control of the Irish Government, for the purposes of that Government, such of the lands and buildings in Ireland vested in or held in trust for Her Majesty, and subject to such conditions or restrictions (if any) as may seem expedient.

#### JUDGES AND CIVIL SERVANTS.

23.—A Judge of the Supreme Court or other superior Court in Ireland, or of any County Court or other Court with a like jurisdiction in Ireland, appointed after the passing of this Act, shall not be removed from his office except in pursuance of an address from the two Houses of the Legislature of Ireland, nor during his continuance in office shall his salary be diminished or right to pension altered without his consent.

24.—(1.) All existing Judges of the Supreme Court, County Court Judges, and Land Commissioners in Ireland, and all existing officers serving in Ireland in the permanent Civil Service of the Crown and receiving salaries charged on the Consolidated Fund of the United Kingdom, shall, if they are removable at present on address from both Houses of Parliament, continue to be removable only upon such address, and if removable in any other manner shall continue to be removable only in the same manner as heretofore; and shall continue to receive the same salaries, gratuities, and pensions, and to be liable to perform the same duties as heretofore, or such duties as Her Majesty may declare to be analogous, and their salaries and pensions shall be paid out of the Exchequer of the United Kingdom: Provided that this section shall be subject to the provisions of this Act with respect to the Exchequer Judges.

(2.) If any of the said Judges, Commissioners, or officers retires from office with the Queen's approbation before completion of the period of service entitling him to a pension, Her Majesty may, if she thinks fit, grant to him such pension, not exceeding the pension to which he would on that completion have been entitled, as to Her Majesty seems meet.

[(3.) Sub-section (1) of this section shall apply to existing officers serving in Ireland in the permanent Civil Service of the Crown, who, although receiving salaries out of money provided by Parliament, are removable only for misconduct or incapacity.]

25.—(1.) All existing officers in the permanent Civil Service of the Crown, who are not above provided for, and are at the appointed day serving in Ireland, shall after that day continue to hold their offices by the same tenure, and to receive the same salaries, gratuities, and pensions [according to the scale of the class to which they belong], and to be liable to perform the same duties as heretofore or such duties as the Treasury [in communication with the Irish Government] may declare to be analogous; and [during the period of five years after the passing of this Act (in this section and the Fifth Schedule referred to as the transitional period) the said gratuities and pensions shall be awarded by the Treasury after communicating with the Irish Government, and the gratuities and pensions so awarded and the said salaries shall be paid to the payees by the Treasury out of the Exchequer of the United Kingdom. Any such officer shall during the transitional period hold office unless he (a) leaves the service on a medical certificate or under the existing rules as to age, or is dismissed for misconduct or incapacity; or (b) is removed upon an abolition of office or re-organisation of department which does not involve the appointment of any new officer; or (c) resigns under this section; or (d) is required by the Irish Government to retire]:

Provided that—

(a) six months' written notice [of resignation under this section or of required retirement] shall, unless it is otherwise agreed, be given either by the said officer or by the Irish Government as the case requires; and

(b) [before the end of the transitional period] such number of officers only shall [resign under this section or be required to] retire at one time and at such intervals of time as the Treasury, [after] communication with the Irish Government,

sanction [so, however, that a notice to resign under this section given by an officer shall unless withdrawn operate at the end of the transitional period if he has not sooner left the service ; and

(c) an officer resigning under this section shall show that he is not incapacitated by mental or bodily infirmity for the performance of his duties, and that he will not be required under the existing rules as to age to retire before the end of the transitional period, and otherwise he shall not be entitled to any further gratuity or pension than he would have been entitled to if he had left the service on a medical certificate.

(2.) Upon any such removal, or resignation under this section, or required retirement, there may be awarded to the officer by the Treasury, after communication with the Irish Government, a gratuity or pension in accordance with the Fifth Schedule to this Act, and for that purpose his service shall be reckoned as if it had continued to the end of the transitional period, or to any earlier date at which under the existing rules as to age he will be required to retire].

(3.) If any such officer [is serving in a capacity which qualifies him for a pension under the Superannuation Act, 1859, and continues to hold office after the end of the transitional period] the Treasury may [within three months after the end of that period] award him a pension in accordance with the Fifth Schedule to this Act, which shall become payable to him on his ultimate retirement from the service of the Crown.

(4.) The gratuities and pensions awarded in [pursuance of this section] shall be paid by the Treasury to the payees out of the Exchequer of the United Kingdom.

(5.) All sums paid out of the Exchequer of the United Kingdom in pursuance of this section shall be repaid to that Exchequer from the Irish Exchequer.

(6.) This section shall not apply to officers retained in the service of the Government of the United Kingdom [except that this section shall apply to the clerical staff of the Royal Irish Constabulary and Dublin Metropolitan Police, with the substitution of the Treasury for the Irish Government].

[(7.) Where an officer, though not in the permanent Civil Service, is in the public service of the Crown, then—

(a) if he devotes his whole time to the duties of his office, this section shall apply to him in like manner as if he were in the permanent Civil Service ; and

(b) if he does not so devote his whole time, and is removed from his office for any cause other than incapacity or misconduct, he may apply to the Treasury, who may award him compensation for loss of office in accordance with the Fifth Schedule to this Act.

(8.) This section shall apply to petty sessions clerks and to officers in the registry of petty sessions clerks in like manner as to officers in the public service of the Crown, with the exceptions that any payment in pursuance of this section to any such clerk or officer shall be made out of the fund out of which the pension of such clerk or officer is payable instead of out of the Exchequer of the United Kingdom, and that in considering the amount of gratuity or pension regard shall be had to the amount of the fund :

Provided that—

(a) If, by reason of anything done after the appointed day, the fund becomes insufficient to meet the full amount of the said gratuities and pensions, the deficiency shall be charged on and paid out of the Irish Consolidated Fund, and such charge shall be repaid when the state of the fund allows to the Irish Consolidated Fund ; and

(b) the existing accumulated fund shall not be applied for any new purpose until every such gratuity and pension is satisfied.

(9.) For the purpose of determining finally the facts on all questions which may arise during the transitional period as to the rights of the officers or any of them under this section there shall be appointed a committee consisting of A.B., the chairman, and C.D., and one other person to be nominated after the appointed day by the Executive Committee of the Irish Privy Council. Any vacancy which may arise among the persons named in this section may be filled by Her Majesty under her Royal sign manual, and any vacancy which may arise from the death or resignation of the person nominated by the Executive Committee may be filled by that committee.



26. Any existing pension granted on account of service in Ireland shall be charged on the Irish Consolidated Fund, and if and so far as not paid out of that fund shall be paid out of the Exchequer of the United Kingdom [and shall be repaid to that Exchequer from the Irish Exchequer].

#### POLICE.

27.—(1.) The forces of the Royal Irish Constabulary and Dublin Metropolitan Police shall, when and as local police forces are from time to time established in Ireland in accordance with the Sixth Schedule to this Act, be gradually reduced and ultimately cease to exist as mentioned in that schedule ; [and thereupon the Acts relating to such forces shall be repealed, and no forces organised and armed in like manner, or otherwise than according to the accustomed manner of a civil police, shall be created under any Irish Act] and after the passing of this Act, no officer or man shall be appointed to either of those forces ;

Provided that until the expiration of six years from the appointed day, nothing in this Act shall require the Lord Lieutenant to cause either of the said forces to cease to exist, if as representing Her Majesty the Queen he considers it inexpedient.

(2.) The said two forces shall, while they continue, be subject to the control of the Lord Lieutenant as representing Her Majesty, and the members thereof shall continue to receive the same salaries, gratuities, and pensions, and hold their appointments on the same tenure as heretofore, and those salaries, gratuities, and pensions, and all the expenditure incidental to either force, shall be paid out of the Exchequer of the United Kingdom.

(3.) When any existing member of either force retires under the provisions of the Sixth Schedule to this Act, the Treasury may award to him a gratuity or pension in accordance with that schedule.

(4.) Those gratuities and pensions and all existing pensions payable in respect of service in either force, shall be paid by the Treasury to the payees out of the Exchequer of the United Kingdom.

(5.) Two-thirds of the net amount payable in pursuance of this section out of the Exchequer of the United Kingdom shall be repaid to that Exchequer from the Irish Exchequer.

#### MISCELLANEOUS.

28. Save as may be otherwise provided by the Irish Act—

(a) The existing law relating to the Exchequer and Consolidated Fund of the United Kingdom shall apply with the necessary modifications to the Exchequer and Consolidated Fund of Ireland, and an officer shall be appointed by the Lord Lieutenant to be the Irish Comptroller and Auditor-General ; and

(b) The accounts of the Irish Consolidated Fund shall be audited as appropriation accounts in manner provided by the Exchequer and Audit Departments Act, 1866, by or under the direction of such officer.

29.—(1.) Subject as in this Act mentioned and particularly to the Seventh Schedule to this Act (which schedule shall have full effect) all existing election laws relating to the House of Commons and the members thereof shall, so far as applicable, extend to each of the two Houses of the Irish Legislature and the members thereof, but such election laws so far as hereby extended may be altered by Irish Act.

(2.) The privileges, rights, and immunities to be held and enjoyed by each House, and the members thereof shall be such as may be defined by Irish Act, but so that the same shall never exceed those for the time being held and enjoyed by the House of Commons and the members thereof.

30.—(1.) The Irish Legislature may repeal or alter any provision of this Act which is by this Act expressly made alterable by that Legislature, and also enactments in force in Ireland, except such as either relate to matters beyond the powers of the Irish Legislature or being enacted by Parliament after the passing of this Act may be expressly extended to Ireland. An Irish Act, notwithstanding it is in any respect repugnant to any enactment excepted as aforesaid, shall, though read subject to that enactment, be, except to the extent of that repugnancy, valid.

(2.) An order, rule, or regulation made in pursuance of, or having the force of, an Act of Parliament, shall be deemed to be an enactment within the meaning of this section.

(3.) Nothing in this Act shall affect Bills relating to the divorce or marriage of individuals, and any such Bill shall be introduced and proceed in Parliament in like manner as if this Act had not passed.

31. The local authority for any county or borough or other area shall not borrow money without either—

- (a) special authority from the Irish Legislature, or
  - (b) the sanction of the proper department of the Irish Government ;
- and shall not, without such special authority, borrow :

(i.) in the case of a municipal borough or town or area less than a county, any loan which together with the then outstanding debt of the local authority, will exceed twice the annual ratable value of the property in the municipal borough, town, or area ; or

(ii.) in the case of a county or larger area, any loan which, together with the then outstanding debt of the local authority, will exceed one-tenth of the annual ratable value of the property in the county or area ; or

(iii.) in any case a loan exceeding one-half of the above limits, without a local inquiry held in the county, borough, or area by a person appointed for the purpose by the said department.

*(The remaining Sections contain Transitory Provisions and Definitions. Land legislation is reserved from the Irish Legislature for six years from the passing of the Act. For six years the appointment of Supreme Court Judges is to be made as heretofore.)*

SCHEDULES.

FIRST SCHEDULE.

LEGISLATIVE COUNCIL.

CONSTITUENCIES AND NUMBER OF COUNCILLORS.

Constituencies.	Councillors.	Constituencies.	Councillors.
Antrim county . . .	3	Leitrim and Sligo	} 1
Armagh county . . .	1	counties . . .	
Belfast borough . . .	2	Limerick county . . .	2
Carlow county . . .	1	Londonderry county . . .	1
Cavan county . . .	1	Longford county . . .	1
Clare county . . .	1	Louth county . . .	1
Cork county—		Mayo county . . .	1
East Riding . . .	3	Meath county . . .	1
West Riding . . .	1	Monaghan county . . .	1
Cork borough . . .	1	Queen's county . . .	1
Donegal county . . .	1	Roscommon county . . .	1
Down county . . .	3	Tipperary county . . .	2
Dublin county . . .	3	Tyrone county . . .	1
Dublin borough . . .	2	Waterford county . . .	1
Fermanagh county . . .	1	Westmeath county . . .	1
Galway county . . .	2	Wexford county . . .	1
Kerry county . . .	1	Wicklow county . . .	1
Kildare county . . .	1		
Kilkenny county . . .	1		
King's county . . .	1		
			48

The expression "borough" in this schedule means an existing Parliamentary borough.

Counties of cities and towns not named in this schedule shall be combined with the county at large in which they are included for Parliamentary elections, and if not so included, then with the county at large bearing the same name.

A borough named in this schedule shall not for the purposes of this schedule form part of any other constituency.

## SECOND SCHEDULE.

### IRISH MEMBERS IN THE HOUSE OF COMMONS.

Constituencies.	Number of Members for House of Commons.	Constituencies.	Number of Members for House of Commons.
Antrim county . . .	3	King's county . . .	1
Armagh county . . .	2	Leitrim county . . .	2
Belfast borough (in divisions as mentioned below) . . .	4	Limerick county . . .	2
Carlow county . . .	1	Limerick borough . . .	1
Cavan county . . .	2	Londonderry county . . .	2
Clare county . . .	2	Londonderry borough . . .	1
Cork county (in divisions as mentioned below) . . .	5	Longford county . . .	1
Cork borough . . .	2	Louth county . . .	1
Donegal county . . .	3	Mayo county . . .	3
Down county . . .	3	Meath county . . .	2
Dublin county . . .	2	Monaghan county . . .	2
Dublin borough (in divisions as mentioned below) . . .	4	Newry borough . . .	1
Fermanagh county . . .	1	Queen's county . . .	1
Galway county . . .	3	Roscommon county . . .	2
Galway borough . . .	1	Sligo county . . .	2
Kerry county . . .	3	Tipperary county . . .	3
Kildare county . . .	1	Tyrone county . . .	3
Kilkenny county . . .	1	Waterford county . . .	1
Kilkenny borough . . .	1	Waterford borough . . .	1
		Westmeath county . . .	1
		Wexford county . . .	2
		Wicklow county . . .	1
			80

(1.) In this schedule the expression "borough" means an existing Parliamentary borough.

(2.) In the Parliamentary boroughs of Belfast and Dublin, one member shall be returned by each of the existing Parliamentary divisions of these boroughs, and the law relating to the divisions of boroughs shall apply accordingly.

(3.) The county of Cork shall be divided into two divisions, consisting of the East Riding and the West Riding, and three members shall be elected by the East Riding, and two members shall be elected by the West Riding; and the law relating to divisions of counties shall apply to those divisions.

## THIRD SCHEDULE.

### FINANCE, IMPERIAL LIABILITIES, EXPENDITURE AND MISCELLANEOUS REVENUE LIABILITIES.

For the purposes of this Act, "Imperial liabilities" consist of—

(1.) The funded and unfunded debt of the United Kingdom, inclusive of terminable annuities paid out of the permanent annual charge for the National

Debt, and inclusive of the cost of the management of the said funded and unfunded debt, but exclusive of the Local Loans stock and Guaranteed Land stock and the cost of the management thereof ; and

(2.) All other charges on the Consolidated Fund of the United Kingdom for the repayment of borrowed money, or to fulfil a guarantee.

#### EXPENDITURE.

For the purpose of this Act Imperial expenditure consists of expenditure for the following services :—

- I. Naval and Military expenditure (including Greenwich Hospital).
- II. Civil Expenditure, that is to say—
  - (a) Civil List and Royal Family.
  - (b) Salaries, pensions, allowances, and incidental expenses of—
    - (i.) Lord Lieutenant of Ireland.
    - (ii.) Exchequer Judges in Ireland.
  - (c) Buildings, works, salaries, pensions, printing, stationery, allowances, and incidental expenses of—
    - (i.) Parliament ;
    - (ii.) National Debt Commissioners ;
    - (iii.) Foreign Office and Diplomatic and Consular service, including secret service, special services and telegraph subsidies ;
    - (iv.) Colonial Office, including special services and telegraph subsidies ;
    - (v.) Privy Council ;
    - (vi.) Board of Trade, including the Mercantile Marine Fund, Patent Office, Railway Commission, and Wreck Commission, but excluding Bankruptcy ;
    - (vii.) Mint ;
    - (viii.) Meteorological Society ;
    - (ix.) Slave trade service.
  - (d) Foreign mails and telegraphic communication with places outside the United Kingdom.

#### REVENUE.

For the purposes of this Act the public revenue to a portion of which Ireland may claim to be entitled consists of revenue from the following sources :—

- 1. Suez Canal shares or payments on account thereof.
- 2. Loans and advances to foreign countries.
- 3. Annual payments by British possessions.
- 4. Fees, stamps, and extra receipts received by departments, the expenses of which are part of the Imperial expenditure.
- 5. Small branches of the hereditary revenues of the Crown.
- 6. Foreshores.

### FOURTH SCHEDULE.

#### PROVISIONS AS TO PENSIONS AND GRATUITIES TO PERSONS IN THE PUBLIC SERVICE.

(1.) The gratuity or pension which may be awarded under this Act to any existing officer who is, on the appointed day, serving in Ireland in the permanent Civil Service of the Crown, and has not a salary charged on the Consolidated Fund of the United Kingdom, and is removable for reasons other than misconduct or incapacity, or to an officer who, though not in the permanent Civil Service, is in the public service and devotes his whole time to the duties of his office, shall be as follows, namely :—

(a) If the officer was serving in a capacity which qualifies him for a pension under the Superannuation Act, 1859, and leaves the service during the transitional period on abolition of office or on reorganisation of department or on resignation under this Act, or on requirement from the Irish Government—a pension may be awarded, calculated in like manner as has heretofore been the custom under section seven of the Superannuation Act, 1859, and the enactments amending the same, in the case of an officer retiring on abolition of office, that is to say, at the

rate of one-sixtieth of his salary for every completed year of service reckoned as follows :

(i.) His years of service shall be reckoned as if he had served up to the end of the transitional period or any earlier date at which he will be required under the existing rules as to age to retire ; and his salary shall, where there are periodical increments, be taken at the amount which it would have reached if he had continued to serve in the same office up to the said end or date.

(ii.) There shall be added to the years of service so reckoned (in this schedule referred to as actual years) any additional years he might independently of this schedule reckon under section four of the Superannuation Act, 1859, and also the following years (in this schedule referred to as abolition years), namely :—

If he has completed less than ten actual years of service, three years ;

If he has completed ten, and less than fifteen actual years of service, five years ;

If he has completed fifteen, and less than twenty actual years of service, seven years ;

If he has completed more than twenty actual years of service, ten years ; but no pension shall exceed two-thirds of his salary ; and no abolition years shall be reckoned in excess of the difference between the age of the officer at the time of his retirement and the age at which he will be required under the existing rules as to age to retire.

(b) If the officer was serving in a capacity which qualifies him on retirement for a gratuity under section four of the Superannuation Act, 1887, the same gratuity may be awarded as might have been awarded if he had retired on the abolition of his office.

(c) If the officer was on the register of copyists—the same gratuity may be awarded as might have been awarded if his name had been removed from the register on a medical certificate ;

(d) If the foregoing provisions do not apply to any officer—the gratuity or pension awarded may be such as to the Treasury appears just having regard to all the circumstances of the case, but less than the amount which might have been awarded to such officer if he had been in the permanent Civil Service.

(2.) This schedule shall apply to an officer in the registry of petty sessions clerks in like manner as if he was serving in a capacity which qualifies him for a pension under the Superannuation Act, 1859, and to a petty sessions clerk in like manner as if he was an officer in the public service, and as if the fund applicable were money provided by Parliament.

(3.) The Pensions Commutation Act, 1871, shall apply to any officer who is awarded a pension under the foregoing provisions of this schedule in like manner as if he had retired on the abolition of his office, and any terminable annuity payable in respect of the commutation of a pension shall be payable out of the same funds as the pension.

(4.) The pension which may be awarded under this Act to any existing officer who is serving in a capacity which qualifies him for a pension under the Superannuation Act, 1859, and continues to hold office under the Irish Government after the end of the transitional period, shall be the like pension as might be awarded to such officer under the Superannuation Act, 1859, if he had at the end of that period retired from service on the abolition of office, but without the addition of any abolition years.

(5.) Where an existing officer in the public service who does not devote his whole time to the duties of his office and is not provided for by any other provision of this Act applies to the Treasury, such gratuity or pension may be awarded to him by way of compensation for loss of office as appears to the Treasury just, having regard to all the circumstances of the case, and especially to the amount of his remuneration out of moneys provided by Parliament.

Provided that the compensation shall in no case exceed three-fourths of the amount which might have been granted if section seven of the Superannuation Act, 1859, had applied to him, and if the total remuneration of his office had not exceeded the amount received by him out of moneys provided by Parliament.]

## FIFTH SCHEDULE.

## PART I.

## REGULATIONS AS TO ESTABLISHMENT OF POLICE FORCES AND AS TO THE ROYAL IRISH CONSTABULARY AND DUBLIN METROPOLITAN POLICE CEASING TO EXIST.

[(1.) Such local police forces shall be established under such local authorities and for such counties, municipal boroughs, or other larger areas as may be provided by Irish Act.

(2.) Whenever the Executive Committee of the Privy Council in Ireland certify to the Lord Lieutenant that a police force adequate for local purposes has been established in any area, he shall, within six months thereafter, direct the Royal Irish Constabulary to be withdrawn from the performance of regular police duties in such area, and such order shall be forthwith carried into effect.

(3.) Upon any such withdrawal the Lord Lieutenant as representing Her Majesty shall within six months thereafter order measures to be taken for reducing the numbers of the Royal Irish Constabulary to such extent as appears to him necessary by reason of the said withdrawal, and such order shall be duly executed.

(4.) Upon the Executive Committee of the Privy Council in Ireland certifying to the Lord Lieutenant that adequate local police forces have been established in every part of Ireland, the Lord Lieutenant shall, within six months after such certificate, or, if the certificate is given within six years after the appointed day, at such later date before the expiration of those six years as the Lord Lieutenant, as representing Her Majesty, thinks expedient, order measures to be taken for causing the whole of the Royal Irish Constabulary to cease to exist as a police force, and such order shall be duly executed.

(5.) Where the area in which a local police force is established is part of the Dublin Metropolitan Police District, the foregoing regulations shall apply to the Dublin Metropolitan Police in like manner as if it were the Royal Irish Constabulary.

## PART II.

## REGULATIONS AS TO PENSIONS FOR OFFICERS AND MEN OF ROYAL IRISH CONSTABULARY AND OF DUBLIN METROPOLITAN POLICE.

## AS TO OFFICERS.

For the purpose of executing the orders of the Lord Lieutenant mentioned in Part I. of this Schedule any officer or man of the Royal Irish Constabulary or the Dublin Metropolitan Police, as the case may be, shall, if so required, retire, and upon such retirement there may be awarded to him a pension as follows, that is to say :—

(1.) If he is an officer there may be awarded to him—

(a) If he was appointed on or before the eighteenth day of August, one thousand eight hundred and eighty-two, a pension equal to one-fiftieth of his annual salary for each completed year of service, with an addition of ten years to his actual years of service ; and

(b) If he was appointed since the eighteenth day of August, one thousand eight hundred and eighty-two, a pension equal to one-sixtieth of his annual salary for each completed year of service, with the addition of twelve years to his actual years of service ;

Provided that—

(i.) The pension awarded to an officer appointed before the tenth day of August, one thousand eight hundred and sixty-six, shall not be less than the pension which could have been awarded him under the provisions of the Act of the Session of the tenth and eleventh years of the reign of her present Majesty, chapter one hundred, intituled “An Act to regulate the superannuation allowance of the



constabulary force in Ireland and the Dublin Metropolitan Police," if he had served as an officer over forty years; and

(ii.) In no case shall a pension exceed the *maximum* pension which, under the existing law, could be awarded to the officer if he had retired for length of service.

(3.) Salary shall be calculated and service reckoned in accordance with The Constabulary (Ireland) Amendment Act, 1882.

(4.) In this schedule the expression "officer" includes the Inspector-General, the Deputy Inspector-General, an Assistant Inspector-General, the assistant inspector-general commandant at the dépôt, the town inspector at Belfast, a county inspector, a surgeon, the storekeeper and barrack master, the veterinary surgeon, and a district inspector.

#### AS TO CONSTABLES.

(5.) If he is a constable there may be awarded to him a pension equal to one-fiftieth of his annual pay for every completed year of service, with the addition of ten years to his actual years of service;

Provided that—

(i.) The pension awarded to a constable appointed before the tenth day of August, one thousand eight hundred and sixty-six, shall not be less than the pension which could have been awarded to him under the Act of the Session of the tenth and eleventh years of the reign of her present Majesty, chapter one hundred, intituled "An Act to regulate the superannuation allowance of the constabulary force in Ireland and the Dublin Metropolitan Police," if he had served as a constable more than thirty years; and

(ii.) In no case shall the pension exceed the *maximum* pension which, under the existing law, could be awarded to the constable if he had retired for length of service.

(6.) In the case of a constable the amount of the annual pay shall be ascertained at the date of his retirement, and shall be calculated and his service reckoned in manner provided by The Constabulary and Police (Ireland) Act, 1883, and every year of service from the twenty-first to the twenty-fourth, both inclusive, shall be reckoned as two years.

(7.) In this schedule the expression "constable" includes the head constable major, a head constable, sergeant, acting sergeant, and constable, in the case of the Royal Irish Constabulary, and includes every member of the Dublin Metropolitan Police not being of higher rank than chief superintendent.

#### MISCELLANEOUS.

(8.) If any officer or constable enters with the approval of the Lord Lieutenant any local police force in Ireland, there may be awarded to him a pension at the rate above mentioned for every year of completed service, with the addition to his actual years of service of such number of years not exceeding the number above mentioned as the Lord Lieutenant assigns.

(9.) The Pensions Commutation Act, 1871, shall apply to persons to whom, on retirement, a pension is awarded under this schedule, in like manner as if they had retired from the permanent Civil Service of the Crown on the abolition of their offices, and any terminable annuity payable in respect of the commutation of a pension shall be payable out of the same funds as the pension.

(10.) Where an officer or constable at the time of his retirement would, if he served for a few months more (not exceeding six), complete another year's service, that year shall be reckoned as a completed year of service.

(11.) The reserve force of the Royal Irish Constabulary shall, for the purposes of this schedule, be deemed to be part of that force.]

*(The Sixth Schedule regulates matters of detail as to the Houses of the Irish Legislature.)*

Within our limits of space it is of course impossible to follow the chequered Parliamentary history of the Bill. It broke down on two vital points. The "in-and-out" scheme



was abandoned, and eighty Irish members were retained in Parliament for all purposes. After the Bill had been a month in Committee, Mr. Gladstone announced that an error to the amount of £365,000 in the estimated amount of Irish excise duties had been discovered, and the whole financial scheme had to be recast. The memorable feature of the session, however, is the unprecedented coercion of the House of Commons by the Government. The Bill was a measure of the very first importance. It effected a deep-reaching social revolution in Ireland. It profoundly modified the constitution of the Empire and the relations between its component parts. It involved political, legal, and financial questions of the most difficult and complex nature. If ever a measure demanded full and careful discussion, it did so. The charge that the discussion of its clauses which took place was merely or mainly obstructive is best answered by the fact that a large proportion of the amendments proposed were actually accepted by the Government. Notwithstanding all this, the Bill was forced through the House of Commons by the most unheard-of use of mere majority power. Mr. Gladstone has added to the list of his achievements the introduction of the "guillotine" into British Parliamentary procedure.

The following abstract<sup>1</sup> of the history of the Bill in Committee speaks for itself:—

#### COMMITTEE HISTORY OF THE HOME RULE BILL.

The House went into Committee on this Bill on Monday, May 8, 1893.

Clause 1—Establishment of Irish Legislature.

Clause 2—Powers of Irish Legislature.

Clause 3 (10 sub-sections)—Exceptions from Powers of Irish Legislature.

Clause 4 (7 sub-sections)—Restrictions on Powers of Irish Legislature.

*In these four clauses there were 17 sub-sections, only three of which remained as first presented to the House. Two new sub-sections were added and one dropped.*

*The time occupied in disposing of these four clauses was as follows: Clause 1, 30½ hours; Clause 2, 18¾ hours; Clause 3, 62½ hours; Clause 4, 43¾ hours.*

(N.B.—It will be observed that these four clauses raised questions of paramount importance, viz., the future supremacy of the Imperial Parliament and the powers of the Irish Parliament. The large number of amendments accepted by the Government, sometimes after hours of debate, testified that the time spent on these clauses was not wasted.)

The following resolution was moved by Mr. Gladstone on June 30, and carried:—

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<sup>1</sup> Taken from *National Union Gleanings* for August 1893. The way in which the Bill was forced through is vividly illustrated by the "*Gag*" Chart, published by Messrs. Terry & Co. for the Central Conservative Office.

"That the proceedings in Committee on the Government of Ireland Bill, unless previously disposed of, shall at the times hereinafter mentioned be brought to a conclusion in the manner hereinafter mentioned :—(a) The proceedings on the Clauses 5 to 8, both inclusive, not later than 10 p.m. on Thursday, 6th July ; (b) the proceedings on Clauses 9 to 26, both inclusive, not later than 10 p.m. on Thursday, 13th July ; (c) the proceedings on Clauses 27 to 40, both inclusive, not later than 10 p.m. on Thursday, 20th July ; (d) the proceedings on the postponed clauses, new clauses, being Government clauses, schedules, and preamble, not later than 10 p.m. on Thursday, 27th July ; and after the clauses, schedules, and preamble are disposed of, the Chairman shall forthwith report the Bill, as amended, to the House. Then at the said appointed times the Chairman shall put forthwith the question or questions on any amendment or motion already proposed from the Chair. He shall next proceed, unless and until progress be moved as hereinafter provided, successively to put forthwith the following questions :—That any clause or schedule then under consideration, and any of the said clauses or schedules not already disposed of, stand part of, or be added to, the Bill. After the passing of this order no dilatory motion, nor motion to postpone a clause, shall be received unless moved by a Minister in charge of the Bill, and the question on any such motion shall be put forthwith ; if progress be reported the Chairman shall put this order in force in any subsequent sitting of the Committee ; proceedings under this order shall not be interrupted under the provisions of any standing order relating to the sittings of the House."

**FIRST COMPARTMENT.**—Monday, July 3rd, to Thursday, July 6th, 10 o'clock.

Clause 5 (3 sub-sections)—Executive power in Ireland.

July 6, 10 o'clock.

*Viscount Wolmer's Amendment to Clause 5 was closed while under discussion. The whole of the clause was then divided upon without further discussion.*

Clause 6 (4 sub-sections)—Composition of Irish Legislative Councils. *Closed without any discussion.*

Clause 7 (3 sub-sections)—Composition of Irish Legislative Assembly. *Closed without any discussion.*

Clause 8—Disagreement between two Houses how settled. *Closed without any discussion.*

*The time occupied in disposing of these 4 clauses was only 31½ hours, including the time occupied by Clause 5 on Wednesday, June 28th, previous to passing the Closure resolutions.*

**SECOND COMPARTMENT.**—Friday, July 7th, to Thursday, July 13th, 10 o'clock.

Clause 9 (5 sub-sections)—Representation in Parliament of Irish Counties and Boroughs.

July 12.

*Mr. Gladstone moved the omission of Sub-sections 3 and 4, which limited the future powers of Irish Members in the Imperial Parliament. This proposed vital change in the Bill was only announced on 12th July, and the discussion thereon closed on the 13th July, after lasting less than 6 hours.*

## July 13.

Clause 9 *was carried by means of the Closure.*

Clause 10 (6 sub-sections)—As to Separate Consolidated Fund and Taxes. *Negatived without any discussion.*

Clause 11 (4 sub-sections)—Hereditary Revenues and Income Tax. *Negatived without any discussion.*

Clause 12 (3 sub-sections)—Financial Arrangements as between United Kingdom and Ireland. *Negatived without any discussion.*

Clause 13 (5 sub-sections)—Treasury Account, Ireland (Bill 209). *Negatived without any discussion.*

Clause 14 (4 sub-sections)—Charges on Irish Consolidated Fund. *Postponed. Carried July 27th without any discussion.*

Clause 15 (2 sub-sections)—Irish Church Fund. *Postponed. Carried July 27th without any discussion.*

Clause 16 (3 sub-sections)—Local Loans. *Postponed. Carried July 27th without any discussion.*

Clause 17 (3 sub-sections)—Adaptation of Acts as to Local Taxation Accounts and Probate, &c., Duties. *Negatived without discussion.*

Clause 18 (2 sub-sections)—Money Bills Votes. *Negatived without discussion.*

Clause 19 (7 sub-sections)—Exchequer Judges for Revenue Actions, Election Petitions, &c. *Negatived without discussion.*

Clause 20 (5 sub-sections)—Transfer of Post Office and Postal Telegraphs. *Closed without any discussion.*

Clause 21 (5 sub-sections)—Transfer of Savings Banks. *Closed without any discussion.*

Clause 22 (3 sub-sections)—Irish Appeals. *Closed without any discussion.*

Clause 23 (3 sub-sections)—Special Provision for Decision of Constitutional Questions. *Closed without any discussion.*

Clause 24 (2 sub-sections)—Office of Lord Lieutenant. *Closed without any discussion.*

Clause 25—Use of Crown Lands by Irish Government. *Closed without any discussion.*

Clause 26—Tenure of Future Judges. *Closed without any discussion.*

*The time occupied in disposing of these 8 clauses was only 26½ hours.*

**THIRD COMPARTMENT.**—Monday, July 17th, to Thursday, July 20th, 10 o'clock.

Clause 27 (2 sub-sections)—As to Existing Judges and other Persons having Salaries charged on the Consolidated Fund. *Redrafted, discussed, and carried.*

Clause 28 (6 sub-sections)—As to Persons holding Civil Service Appointments. *Redrafted, discussed, and carried.*

Clause 29—As to Existing Pensions and Superannuation Allowances. *Discussed and carried.*

Clause 30—As to Police. *Mr. Morley's amendment to this clause was closed while under discussion. The clause was then carried by closure.*

Clause 31 (2 sub-sections)—Irish Exchequer Consolidated Fund and Audit. *Closed without any discussion.*

Clause 32 (2 sub-sections)—Law applicable to both Houses of Irish Legislature. *Closed without any discussion.*

Clause 33 (2 sub-sections)—Supplemental Provisions as to Powers of Irish Legislature. *Closed without any discussion.*

Clause 34 (5 sub-sections)—Limitation on Borrowing by Local Authorities. *Closed without any discussion.*

Clause 35 (2 sub-sections)—Temporary Restrictions on Powers of Irish Legislature and Executive. *Closed without any discussion.*

Clause 36 (8 sub-sections)—Transitory Provisions. *Closed without any discussion.*

Clause 37—Continuance of Existing Laws, Courts and Officers, &c. *Closed without any discussion.*

Clause 38—Appointed Day. *Closed without any discussion.*

Clause 39—Definitions. *Closed without any discussion.*

Clause 40—Short Title. *Closed without any discussion.*

*The time occupied in disposing of these 14 clauses was only 28½ hours.*

FOURTH COMPARTMENT.—Friday, July 21st, to July 27th, 10 o'clock.

The new Financial Clauses in place of those negatived on July 13th.

July 27, 10 o'clock.

*Mr. Clancy's amendment to the first new Financial Clause was closed and negatived without a division.*

*The other new Financial Clauses were then closed and put without debate.*

*The postponed Clauses 14, 15, and 16 were then closed without any discussion, as also were the following six schedules:—*

#### SIX SCHEDULES.

1st. Legislative Council. (Constituencies, and number of Councillors).

2nd. Irish Members in the House of Commons.

3rd. Finance. (Imperial Liabilities, Expenditure, and Miscellaneous Revenue.)

4th. Provisions as to Pensions and Gratuities to Persons in the Public Service.

5th. Regulation as to Establishment of Police Forces and as to the Royal Irish Constabulary and Dublin Metropolitan Police ceasing to exist.

6th. Regulations as to Houses of Legislature and the Members thereof.

*The time occupied in disposing of these 7 Clauses and 6 Schedules was only 28¾ hours.*

It will be noted that the clauses forced through without discussion cover the constitution and mode of election of the Irish Legislature, the judicial machinery in Ireland, Irish appeals, the decision of constitutional questions, and other matters of the first importance.

It should be noted, too, that the Bill was carried throughout by a purely Irish majority. The second reading was carried by a majority of 43, 80 Irish voting for it. Against it there was an English majority of 71, a British majority, including English, Scottish, and Welsh members, of 12.<sup>1</sup> It is sometimes said that this comment comes ill from Unionists, who wish to see the United Kingdom as a whole governed by the majority of the United Parliament. The answer is that a Home Rule Bill differs from any other legislative proposal in this, that it proposes to rescind, or at all events to alter, a

<sup>1</sup> Ayes—English 190, Welsh 27, Scottish 46, Irish 84, Total 347. Noes—English 261, Welsh 2, Scottish 12, Irish 29, Total 304.

contract between Great Britain and Ireland. Great Britain, one of the parties to the contract, has never yet consented to any such alteration.

The third reading was carried on September 1, and on the same day the Bill was read a first time in the House of Lords. On September 8 the Lords threw it out on the second reading by a majority of 378 (419 to 41).<sup>1</sup>

The country took the rejection of the Bill "calmly, not to say apathetically."<sup>2</sup> There the matter rests for the present.

## PART II.—SUMMARY OF ARGUMENTS AGAINST HOME RULE.

The arguments against Home Rule in its various possible forms have been very fully and dispassionately set forth by Professor Dicey in *England's Case against Home Rule*, the standard book on the subject. In the *Speaker's Handbook* and in Sir E. Ashmead Bartlett's *Union or Separation*, they are summarised in a more popular form. The new Bill has already been exhaustively criticised by the leaders of the Unionist party. Here the main points can be only briefly stated. We shall deal first with some of the general objections to any scheme of Home Rule, and then proceed to criticise some points in the Bill now before the country.

### I. IRISH NATIONALITY.

It is argued that Home Rule ought to be granted "because a majority of the Irish nation demands it." As a matter of fact, at the General Election of 1886 only half of the electorate of Ireland voted for Home Rule. At the Election of 1892 five seats were gained for the Union. Among those who voted against Home Rule were not only the landlord class but the overwhelming majority of persons of education and standing, Protestant clergymen, professional men, merchants, bankers, manufacturers, city shopkeepers, with nearly the whole of the industrious and prosperous inhabitants of north-eastern Ulster. Even assuming that the great majority of the Irish people do desire Home Rule, that no more proves that it should be granted than a similar demand on the part of the inhabitants of Fife or Kent would justify a cry of "Home Rule for Fife" or "Home Rule for Kent." But it is said, Ireland is not a mere

<sup>1</sup> For a masterly vindication of the action of the Lords see the Duke of Devonshire's speech, House of Lords, September 5, 1893.

<sup>2</sup> We are indebted to Mr. Labouchere for the phrase (*Truth*, September 21, 1893).

geographical division, Ireland is a nation, and is entitled to the rights of a nation. Historically this is not true; Ireland never was a "nation" in the modern sense. If she is entitled to the "rights of a nation" these rights surely include—to name no others—the right to have her own army and navy and her own foreign policy, in short, the right to separate from England when she pleases. No British statesman has ever suggested that she has *that* right; Gladstonians angrily repudiate the charge that their policy makes for separation. The "nation" argument proves too much.

In any case, whatever claims to nationhood may be maintained on behalf of Ireland may with equal validity be maintained on behalf of north-eastern Ulster, the "Ulster of the historian." The working men of Down and Antrim differ as much in race, religion, and traditions from the peasantry of Clare and Kerry, as do these latter from the inhabitants of Aberdeen; and any one who knows Ulster knows the fixed and stern determination of the Ulstermen never to submit to the rule of a Dublin Parliament. In 1886 the mere threat of Home Rule produced terrible riots in Belfast; its establishment would produce civil war. If we are to talk of "a nation" in Ireland we must recognise that there are two nations there, and that if British rule is withdrawn, one of those nations will have to conquer the other.<sup>1</sup>

## 2. PAST HISTORY.

England, it is said, ought to grant Home Rule to Ireland as an act of reparation, because in past centuries she oppressed

<sup>1</sup> At the Liberal Union banquet to Mr. Chamberlain on March 8, 1892, Mr. Thomas Sinclair of Belfast, who occupied the chair, thus expressed the feeling of Ulster: "Has it come to this, that the Liberals of Ulster, who have spent the nineteenth century in fighting side by side with their Catholic countrymen for the attainment of equal civil and religious rights, are to be sentenced, just as the prize had been grasped, to occupy the twentieth century in a hopeless struggle against a new ascendancy—an ascendancy stained with robbery, violence, cruelty, and blood? (Cheers.) Gentlemen, this shall never be. . . . We have merged our country in a full and faithful representation of these united realms, and there we abide. That merging of our country with yours we shall not surrender. (Cheers.) If, in spite of our passionate desire for its continuance, you bid us enter another partnership, we simply reply, Thither we shall not go. The allegiance which a century back we pledged to Imperial Parliament we shall transfer neither to a costly separate autonomy among ourselves nor to a legislature in College Green. (Cheers.) Remaining an integral portion of the United Kingdom, we shall steadfastly persevere in our duty towards our island and the Empire. Cherishing sentiments of peace and goodwill towards all classes and creeds of our countrymen, it shall continue to be our desire and aim that, under the equal laws and privileges which all Irishmen now enjoy, north and south, east and west, may work out their common destiny as co-partners in the grandest world-civilising power that our earth has seen." (Loud cheers.) *Northern Whig*, March 9, 1892.

The volume and intensity of Ulster feeling were strikingly displayed in the great public demonstrations which accompanied Mr. Balfour's visit to Ulster, April 3, 1893, and following days.



and misgoverned the Irish, because the Union was obtained by acts of "baseness and blackguardism," and because the united Parliament has failed to govern Ireland. It may be admitted at once that there are many dark pages in the history of the relations of the two countries, many wrongs, on both sides; the massacres of 1641 and the proscription of the Protestants under Tyrconnel may be set against the sack of Drogheda and the Penal Laws. But it is difficult to see what these matters of ancient history have to do, except for rhetorical purposes, with the practical politics of to-day. That our great-great-grand-fathers may have committed a crime is no reason why we should commit a folly. Cromwell invaded Scotland as well as Ireland; a Scotchman who should now demand Repeal of the Union on account of the battle of Dunbar would be regarded as a lunatic.

With the allegations as to the Union and the failure of the United Parliament we have dealt in a former part of this chapter (pp. 192, 193).

### 3. ANALOGY OF THE COLONIES, THE UNITED STATES, &c.

A favourite Gladstonian argument is that Home Rule or something similar has been tried in many European countries, in our own colonies, and in the United States, and has been found to work well. The argument from the analogy of the German Empire, Austria-Hungary,<sup>1</sup> &c., is fully discussed by Professor Dicey, who points out in detail the many circumstances which differentiate these cases from the case of Ireland.<sup>2</sup> The following passage from the same authority contains the kernel of the criticism on the analogy of our own colonies:—

"An English colony, such as Victoria, is a virtually independent country, attached to England mainly by ties of loyalty or well-understood interest, but placed at such a distance from the mother-country that England could without inconvenience, and would without hesitation, concede to it full national independence when once it was clear that Victoria desired to be a nation. Victoria, in short, is a land which might at any moment be independent, but which desires to retain or strengthen the connection with England. Ireland, on the other hand, is a country lying so near to the English coast that, according to the views of most statesmen, England could not with safety tolerate her independence, and also a country which, to put the

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<sup>1</sup> Home Rulers are now silent as to Sweden and Norway. After having wrung one concession after another from Sweden, insubordinate and separatist Norway now demands not merely its own flag, but also its own Foreign Minister and its own representatives abroad.

<sup>2</sup> *England's Case against Home Rule*, 3rd ed., pp. 48–66.



matter in the least exaggerated language, feels the connection with England so burdensome that the greater part of her population desire at least the amount of independence conceded to a self-governing colony. The case of Victoria and the case of Ireland each constitute, so to speak, the antithesis to the other."<sup>1</sup>

As to the analogy of the United States, it is asked, Why should not Ireland have the same powers of self-government as Massachusetts? For two excellent reasons. One is that the relations of Massachusetts to the Union are defined by an elaborate written constitution, which is accepted as binding by the State, and for the interpretation of which there is a tribunal, the Supreme Court of the United States, whose authority is not questioned, and which has at its back an overwhelming force wherewith to execute its decrees.<sup>2</sup> No such tribunal could be created to interpret a Home Rule Act. The other, and the more important reason is that Massachusetts is thoroughly loyal to the Union; Ireland, judged by the utterances of Nationalist leaders, would not be loyal to the Empire. The American analogy is a singularly unhappy one. It is barely thirty years since some States of the Union asserted their right to separate from the others and to "take their place among the nations of the earth." Rather than yield to that claim the Federal Government undertook and carried through the most tremendous war of modern times. Can any reasonable man doubt that the attitude of Ireland towards the Empire would not be that of Massachusetts but that of South Carolina?

#### 4. COERCION.

One of the commonest Nationalist arguments is that Home Rule ought to be granted because the only alternative is the government of Ireland by "Coercion." "Coercion" is a mere nickname; it means nothing more than the administration in Ireland of a system of criminal law different in certain respects from that administered in England, but substantially the same as that administered in Scotland, without the slightest hindrance to the exercise of perfect individual liberty. The justification of any difference in the law is simply the fact that in Ireland there exists systematic criminal agitation for political and agrarian purposes which is unknown in England, and which is often strong enough to locally paralyse the ordinary machinery of the law. If, as Lord Salisbury said,<sup>3</sup> the Irish "will abandon

<sup>1</sup> *England's Case against Home Rule*, 3rd ed., p. 53.

<sup>2</sup> Even the Supreme Court of the United States has in the past not always found it possible to enforce its judgments in the face of strong local feeling.

<sup>3</sup> At St. James's Hall, May 17, 1886.

the habit of mutilating, murdering, robbing, and of preventing honest persons who are attached to England from earning their livelihood," there will be no need for coercion. That Lord Salisbury did not overstate the condition of things which necessitated the Crimes Act of 1887 appears from such statements as the following, addressed by Mr. Justice Johnson to the Grand Jury of County Cork, March 14, 1887:—

"The returns from this and the West Riding—and they cover a period of only three months since the last winter assizes—show that in a considerable portion of this great county the people who live in remote and isolated districts are subject to violence, alarm, and plunder by day and by night—principally by night—from gangs of armed men, disguised mainly, who rove through the country seizing arms, plundering property, always with a show of violence, often accompanied with threats, and sometimes with assaults of the meanest and most dastardly character."

That is the kind of thing that renders "Coercion" necessary. The argument that unless Home Rule—or anything else which the Irish extremists choose to demand—is granted, "Coercion" will be rendered necessary by criminal agitation, is remarkably like the argument that you ought to give a robber your watch when he asks for it, because if you don't he will assault you, and you, although a humane man, will be under the painful necessity of knocking him down.

The account on pages 125 to 136 of the administration of the Crimes Act of 1887—the only "Coercion" for which the Unionist party is responsible—shows how amply the enactment of that statute was justified by its success.

When the "Coercion-the-only-alternative" argument is used by Home Rulers, it should always be borne in mind that after the defeat of Home Rule in 1886 the Parnellite party, on their own showing, *deliberately set themselves to make government in Ireland by the ordinary law impossible*, in order to provide that argument for British consumption.<sup>1</sup>

<sup>1</sup> "When Mr. Gladstone was defeated in England last year, and when the Tories came into power, they boasted that they could govern Ireland by means of the ordinary law. Mr. Gladstone, on the contrary, told the people of England that they had to choose between coercion on the one side and Home Rule on the other. Home Rule was defeated at the last election in Great Britain, and I say advisedly that if in the face of that defeat the Tories had been able to rule Ireland with the ordinary law, the result would have been in England and Scotland to throw back our cause perhaps for a generation, and to give the lie direct to the prophecy of Mr. Gladstone. . . . We have been able to force the Government to give up the ordinary law and fall back once more on coercion."—Mr. John Redmond at Glenbrien, Co. Wexford, *Enniscorthy Guardian*, Dec. 11, 1886.

For a discussion of the whole subject of the Crimes Act, with illustrations of its working and examples of Nationalist fictions about it, see *The Speaker's Handbook*, Part III.

**POINTS IN THE BILL OF 1893.**

We now come to consider some aspects of the late Bill. Although the Bill is no longer before Parliament, it remains the authorised version of the Home Rule project, and we accordingly speak of its provisions in the present tense.

**5. THE UNITY OF THE EMPIRE.**

Mr. Gladstone has told us time and again that the first necessary condition of a Home Rule scheme is that it shall not be inconsistent with Imperial unity. This unity, he tells us, he "wishes to strengthen;" this condition has been "sedulously and closely observed." Now, for practical purposes, what does the maintenance of Imperial unity mean? It means that as regards foreign relations, as regards naval and military matters, the British Islands shall remain, as now, a homogeneous whole. It means, in the words of Mr. Chamberlain,<sup>1</sup> "that the central authority shall have, for all purposes of offence and defence, the full control of all the forces and of all the resources of the country to which that unity applies." In a time of European war such unity will be essential to our very existence. Is it likely to be preserved under a Home Rule regime? The Bill will establish in Ireland a Legislature and Executive composed of men many of whom have openly declared their hatred of England, men who, in the words of Mr. W. H. K. Redmond,<sup>2</sup> will "look upon no concession as adequate until they have reached the goal of national independence." The Irish Parliament is to be established as a recognition of Irish nationality, at the same time it is to be denied many of the most important rights of a nation, not only the right of dealing with foreign relations and the like, but even the regulation of such domestic matters as trade, customs, religion, and education. It is certain that further concessions will soon be demanded. Suppose for a moment that political agitation fails to obtain them; can anything be more certain than that in the future, as in the past, England's extremity will be Ireland's opportunity? The Irish Parliament is debarred from dealing with naval and military forces, but how could it be prevented from raising under the name of police or otherwise a disciplined force of its own? In the event of war with a European power, why should not the events of 1782, when the Irish volunteers exacted the independence of "Grattan's Parliament," be repeated on a larger scale? Is it unreasonable to suppose that with an Irish

<sup>1</sup> House of Commons, February 17, 1893.

<sup>2</sup> January 21, 1883.

Government in power composed of ex-Fenians and allies of the Clan-na-Gael, Irish ports might be thrown open to an invader's cruisers, and Irish supplies might be available for his armies? Such a contingency may appear remote: it is idle to call it impossible; its occurrence would menace our very existence as a nation.

## 6. THE SUPREMACY OF PARLIAMENT.

In appealing to the country before the last General Election, Mr. Gladstone and his followers assured the electorate that the preservation of the unquestioned sovereignty of the Imperial Parliament must be an essential part of any Home Rule scheme. Accordingly it is "reverentially" mentioned in the preamble to the Bill, and the 3rd and 4th sections profess to safeguard it by various exceptions and restrictions. Section 5 provides that Bills passed by the Irish Parliament may be vetoed by the Lord Lieutenant on the advice of the Irish Cabinet, "subject, nevertheless, to any instructions given by Her Majesty in respect of any such Bill." For practical purposes these safeguards are mere illusions. After the creation of an Irish Legislature, with an Irish Executive responsible to that Legislature alone, the supremacy of Parliament over Ireland will be a farce. Suppose that Parliament passes an Act for Ireland contrary to the wishes of the Irish Legislature. That Act will have to be administered in Ireland by officials appointed and paid by the Irish Legislature, and dismissable at their pleasure. Such an Act will not be worth the paper it is printed on. Suppose, on the other hand, that the Irish Legislature exceeds its powers. The question as to whether it has done so is to be determined by the Judicial Committee of the Privy Council, on the initiative of the Lord Lieutenant or a Secretary of State. (Aggrieved private individuals, if they seem to the Judicial Committee to be interested, "may be allowed" to appear.) Take it that the Judicial Committee finds that the Irish Legislature *has* exceeded its powers. How can such a judgment be enforced? If the Corporation of Limerick could defy the Irish Courts,<sup>1</sup> is it likely that a College Green Parliament will care two straws for the Privy Council? Suppose—no very extravagant supposition with regard to a Parliament of ex-Land Leaguers—that the Irish Legislature chooses to pass an Act "by which private property is taken without just compensation," say remitting a year's rent throughout Ireland, or abolishing rent altogether. Is it conceivable that the peasantry of Kerry would disregard such an Act because some elderly gentlemen in London, whose names they had never heard, declared it *ultra vires*?

<sup>1</sup> As happened in 1882.

Is it conceivable that an Executive composed of old Plan of Campaign organisers would pay the smallest heed to such a judgment? If not, what could be done?

As to the Imperial veto, its value cannot be better estimated than in the words of Mr. Chamberlain:<sup>1</sup>—

“The hon. member for Kerry (Mr. Sexton) told us the other day that our supremacy was an incontrovertible fact, and the hon. member for Waterford (Mr. J. Redmond) said that our supremacy was—I think he said—an inalienable heritage. They will give you any number of statements of that kind. You may have all the advantage of the incontrovertible fact and inalienable heritage, but it is when you come to employ your heritage that you will find the difficulty begins. As to that both hon. gentlemen have been perfectly clear. They say, ‘Here is this weapon of which we cannot deprive you, but if you use it you will use it at your peril.’ Suppose we want to use the supremacy of Parliament in this Bill upon legislation. We have got the veto. Do not say anything as to the veto of the Irish Cabinet, because clearly that would be no use to us on a conflict between the Irish Cabinet and the British Cabinet. But we have got the veto of the British Crown. Have you, gentlemen, considered what the effect would be of the use of this veto by the Crown? I will take a case. Suppose the Irish Parliament—I think this, at all events, will be admitted to be a highly probable supposition—suppose the Irish Parliament to deal with a Bill such as that introduced two sessions ago by Mr. O’Kelly for providing for the evicted tenants. Suppose that Bill were passed in the Irish Parliament, it would, in the opinion of the majority of the Imperial Parliament, be a most iniquitous and unjust Bill. I am not saying whether it really was—I am saying in the opinion of the majority it was; consequently that is precisely the sort of Bill which, if a majority against it continued in the Imperial Parliament, will undoubtedly be vetoed by the Imperial Parliament. What will be the state of the case, the Irish Ministry having brought in and passed that Bill with the assent of the majority of the Irish Parliament, and the full assent of the majority of the Irish people? It is vetoed by the Lord Lieutenant. The Irish Ministry resign, and no other Ministry can take their place and hold it for a single day. What is to become of the administration of the Government in Ireland? You will have to use your veto; but unless you are immediately prepared to follow that up by withdrawing the constitution and taking again upon yourselves the whole government of Ireland, all you will have done by your veto is to bring about a deadlock. Then, sir, I say under these circumstances the weapon breaks in your hands the very first time you attempt to use it.”

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<sup>1</sup> House of Commons, February 17, 1893.

The truth is that if the supremacy of Parliament is to be a reality, then from the Irish Nationalist point of view the Bill is a sham.<sup>1</sup>

## 7. FINALITY.

This brings us to the question of finality. In 1886 no argument in favour of Home Rule was more strongly pressed than this, that whatever its results might be in Ireland, it would at all events settle the everlasting Irish question so far as Britain was concerned, and put an end to Irish demands. Mr. Gladstone stated, as one of the essentials of the Bill, "that it should be in the nature of a settlement, and not of a mere provocation for the revival of fresh demands." "We are going," he said, "to give to the Irish people, if we are permitted, that which we believe to be in substantial accordance with their full, possible, and reasonable demands."<sup>2</sup> The public utterances of Nationalist members were simply ignored.<sup>3</sup> In 1893 he had come to the conclusion that "finality" was a "discredited word," but he believed that his second Bill would be a "real and continuing settlement." In introducing the Bill he said:—

"She (Ireland) has consented to accept the common, the universal supremacy of the Empire; and she has asked only for that management of her own local concerns which reason and justice, combined with the voice of her people, and with the voice, as I hope it will soon be, of the people in this kingdom, demand. If this controversy is to end in this manner, I cannot but put it to dispassionate men that the sooner it ends the better; the sooner we stamp and seal the deed which is to efface all former animosities, and to open an era, as we believe, of peace and goodwill—the sooner, I say, that is done the better."<sup>4</sup>

In the third reading debate Mr. John Redmond disposed of this dream once for all:—

"Mr. John Redmond said that as this Bill now stood, no man in his senses could regard it as a full, final, or satisfactory settlement of the Irish national demands. (Cheers.) The word 'provisional' had been stamped, as it were, in red ink across every page of the Bill. They could not do anything for the amelioration of the Irish people until full and unfettered power over purely Irish affairs was placed in their hands. (Hear, hear.) If this Bill were put before him as the 'be all' and

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<sup>1</sup> "If we don't get the management of our own affairs *free from outside control*, Home Rule is not worth our taking."—*Mr. E. Harrington*, January 1, 1891.

<sup>2</sup> House of Commons, April 13, 1886.

<sup>3</sup> See Part III., pp. 260 to 264.

<sup>4</sup> House of Commons, February 13, 1893.



'end all' of national aspirations in Ireland, he would feel bound not to vote for the third reading. The Bill, however, could not under any circumstances afford either a full, final, or satisfactory settlement of this question. It could not be a full settlement, because it left for settlement by the British nation some of the most vital Irish interests; and it could not be a final settlement, because, in his opinion, no partial grant of autonomy could be final. Even if every other portion of the Bill were satisfactory, he regarded the financial portion of it as so grave and faulty that it would be impossible for him to allow the third reading of it without making it clear that in voting for the third reading he did not sanction the financial portion of the Bill."<sup>1</sup>

#### 8. THE RETENTION OF THE IRISH MEMBERS.

From a British point of view perhaps the most objectionable feature of the Bill is the proposal that after the establishment of an Irish Parliament eighty Irish members are to continue to sit at Westminster. There are three possible ways of dealing with the question of the Irish members. They might be excluded from Parliament altogether, as was proposed in 1886. This means either taxation without representation, which cost us the American colonies, or the abandonment of even the pretence of Parliamentary supremacy over Ireland. Or they might be retained as was originally proposed in the Bill of 1893, with power to vote on Imperial matters only. As to the practicability of distinguishing between Irish and Imperial affairs, Mr. Gladstone is his own best critic. This is what he said in the House of Commons on April 8, 1886:—

"My next question is, Is it practicable for Irish representatives to come here for the settlement, not of English and Scotch, but of Imperial affairs? In principle it would be very difficult, I think, to object to that proposition; but then its acceptance depends entirely upon our arriving at the conclusion that in this House we can draw, for practical purposes, a distinction between affairs which are Imperial and affairs which are not Imperial. It would not be difficult to say in principle that, as the Irish Legislature has nothing to do with Imperial concerns, let Irish members come here and vote on Imperial concerns. All depends on the practicability of the distinction. Well, sir, I have thought much, reasoned much, and inquired much with regard to that distinction. I had hoped it might be possible to draw a distinction, but I have arrived at the conclusion that it cannot be drawn. I believe it passes the wit of man. At any rate it passes, not my wit alone, but the wit of many with whom I have communicated."

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<sup>1</sup> House of Commons, August 31, 1893 (*Daily Chronicle* report).



Even supposing the distinction possible, the absolutely fatal objection to any such arrangement is that it would create two majorities in the House of Commons. Supposing parties anything like evenly balanced, no ministry could be sure of its majority for a week. A Government in power with a strong British majority at its back might be turned out at any moment by the appearance of the Irish to vote on an Imperial question. Such an arrangement would strike at the very vitals of our system of Parliamentary Government; it would open the door to endless corruption and intrigue; and it would introduce uncertainty and instability into every detail of our administration.

The third course is to retain the Irish members for all purposes, the course ultimately adopted in 1893. Here again Mr. Gladstone is his own best critic. In the speech last quoted he said:—

“I think it will be perfectly clear that if Ireland is to have a domestic Legislature, Irish peers and Irish representatives cannot come here to control English and Scotch affairs. That I understand to be admitted freely. I never heard of their urging the contrary, and I am inclined to believe that it would be universally admitted. The one thing follows from the other. There cannot be a domestic Legislature in Ireland, dealing with Irish affairs, and Irish peers and Irish representatives sitting in Parliament at Westminster to take part in English and Scotch affairs.”—*Hansard*, vol. ccciv. col. 1055.

Speaking at Manchester on June 25, 1886, he said:—

“*I will not be a party to giving to Ireland a legislative body to manage Irish concerns, and at the same time to having Irish members in London acting and voting on English and Scotch questions.*”—*Daily News*, June 26, 1886.

When he introduced his second Home Rule Bill on February 13, 1893, he said in the House of Commons:—

“I should admit it to be a *very great and formidable anomaly* . . . that these eighty Irish gentlemen . . . should continually intervene in questions purely and absolutely British—questions probably affecting not even the whole of the United Kingdom—not even the whole of any section of the United Kingdom—questions of the most purely local character. We must own that, as far as anomaly goes, that is a very great anomaly. But it is not, in my opinion, the strongest argument against the universal voting of the Irish members. . . . *I am afraid of thus opening a possible door to wholesale and dangerous political intrigue.*”—*Hansard*, vol. viii. cols. 1264–1265.

However, Mr. Gladstone found that the House would have none of his “in-and-out” scheme, and with his accustomed

deference to the wisdom of majorities, he became converted to retention for all purposes. He justified his change of view in a long letter to Mr. Cowan of Beeslack (July 31, 1893), the gist of which, hidden amid a cloud of words, is contained in the statement that "it gradually became known to us, by signs which could not be mistaken, that the unavoidable incompleteness of this (the 'in-and-out') plan, and the particular objections which attach to it, had so impressed the mind of the House that we were absolutely without the means of carrying it." He rebukes the wicked Tories for their prophecies that the proposed arrangement will lead to political intrigue. He minimises the dangers of the intervention of the Irish members in British affairs, and with regard to those gentlemen makes the amazing statement that "the natural restraints of good feeling and goodwill cannot but check meddlesome and undue intervention." Coming from the statesman who led the House of Commons in the Parliament of 1880, this beggars criticism.<sup>1</sup>

It may be noted in passing that the distribution of the Irish eighty is a masterpiece of jerrymandering. We take the following figures from the *Scotsman*:<sup>2</sup>—

"At present, leaving Dublin University out of count, 21 Unionist members from Ireland represent constituencies whose electors number 182,455, or an average of about 8689 electors to each Unionist member; whilst the 80 Nationalist members represent 461,014 electors, or an average of 5763 electors to each member. Thus every Irish Unionist member represents on an average about 3000 more electors than the Nationalist members do. Assuming that the counties and boroughs voted in the same way, and in like proportion as in 1892, when the first election for the 80 members of the House of Commons took place, we would have, according to Mr. Gladstone's new arrangement of the constituencies, 18 Unionists and 62 Nationalist representatives sitting in the House of Commons. But this is grossly unfair. These 18 Unionist members would represent 191,022 electors, or an average of 10,612 electors each; whilst the 62 Nationalists would represent 552,397,

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<sup>1</sup> The views of Mr. Labouchere, the Government's candid friend, on retention are worth quoting. "Personally," he says, "I am for entire exclusion. But if any working scheme can be produced which, whilst retaining the Irish members on Imperial matters, were to exclude them on British local matters, I should accept it, still holding to the opinion that entire exclusion would have been the better course. This partial exclusion would at least save Great Britain from the utter folly of British issues being at the mercy of the Irish members, whilst we have granted Ireland Home Rule because we think that the inhabitants of any island are better judges of its wants and requirements than the inhabitants of any neighbouring island. To suppose that we could obtain a majority at a General Election for any such surrender of our right to self-government is to show a singular ignorance of Englishmen."—*Truth*, January 19, 1893.

<sup>2</sup> February 21, 1893.

or an average of only 8909 electors each. Each Unionist member would therefore represent about 1700 more electors than each Nationalist member would. Galway, with its electorate of 1909, would still have its member; Newry, with 1847 electors, and Kilkenny, with 1806 electors, would also retain their members; whilst in County Antrim, where there are now four Unionist members, representing 36,319 electors, the representation would be reduced to three."

9. THE PROTECTION OF MINORITIES.

Another point which Mr. Gladstone said was essential to a satisfactory scheme was that "any and every practicable provision for the protection of minorities should be adopted." In view of the bitterness of Irish political, religious, and social feuds, the unscrupulousness of Nationalist politicians, and the smallness of the Loyalist and Protestant minorities in the south and west of Ireland, the necessity for such protection is obvious. The provisions which the Bill proposes to make for this purpose are twofold—(1) the Legislative Council, and (2) the exceptions from and restrictions on the powers of the Irish Legislature.

This is Mr. T. W. Russell's estimate of the probable value of the Legislative Council as a protection: <sup>1</sup>—

"Taking the first schedule of the Bill, here are seats certain to be carried by the Unionist party in the Legislative Council:—

Antrim	.	.	.	.	.	.	.	3
Armagh	.	.	.	.	.	.	.	1
Belfast	.	.	.	.	.	.	.	2
Down	.	.	.	.	.	.	.	3
Londonderry	.	.	.	.	.	.	.	1
								—
Total	.	.	.	.	.	.	.	10

"There are others concerning which a reasonable chance may be said to exist, viz. :—

Cork City	.	.	.	.	.	.	.	1
Donegal	.	.	.	.	.	.	.	1
Dublin	.	.	.	.	.	.	.	1
Dublin County	.	.	.	.	.	.	.	2
Fermanagh	.	.	.	.	.	.	.	1
Monaghan	.	.	.	.	.	.	.	1
Queen's County	.	.	.	.	.	.	.	1
Tyrone	.	.	.	.	.	.	.	1
Wicklow	.	.	.	.	.	.	.	1
								—
Total	.	.	.	.	.	.	.	10

<sup>1</sup> Scotsman, February 23, 1893.

“Assuming the doubtful seats to be all carried, the minority would have 20 votes out of 48. The Nationalists, therefore, start with a clear majority of 8 in the Upper Chamber. And in the Lower House they should possess a majority of 60 or 70. If this arrangement is compared with the provision in the Bill of 1886, its worthlessness is at once apparent. In the Bill of 1886 the Irish Legislature consisted of two Orders—the First embracing 28 peers and 75 elective members with a high property qualification; the Second Order was composed of 204 members, chosen as now. It is clear that, with a substantial minority in the Second Order, the influence of the First Order might have been potent. But as now constituted the Second Chamber is useless for the purposes of protection.”

But no matter how the Council is composed, it will be impotent to prevent the passing of any measure, however rapacious or unjust, proposed by the Assembly. After a short delay its votes can always be swamped by the joint-voting arrangement provided in Section 8.

As to the composition of the Assembly there is, of course, no question. Even supposing that the progress of Loyalist opinion should continue, the Bill (Section 7, sub-section 3) paves the way for unlimited jerrymandering in the future.

We have already discussed the value of the exceptions and restrictions.

The question of the Ulster minority has been referred to in a previous section.<sup>1</sup> It is pretty well able to take care of itself. Let us look briefly at the position of some of the other minorities in Ireland.

## 10. THE LAND QUESTION.

The greatest of Irish domestic questions is that of the land. Recognising the exceptional position of the Irish tenant, Parliament has dealt with the question by means of the most exceptional and generous legislation. To-day the Irish farmer is the most favoured tenant in the world. Naturally no land legislation has ever satisfied the chiefs of the Land League, the method in which those gentlemen propose to deal with the question being simply that of “public plunder,” to use Mr. Gladstone’s phrase.

In 1886 Mr. Gladstone recognised the impossibility of leaving the land question to be dealt with by a Home Rule Parliament. Speaking on the introduction of the Land Purchase Bill on April 16, 1886, he said:—

“It would be demanded of me in the first place—Why must the land system of Ireland be settled; why can you not leave

<sup>1</sup> Page 233.

it to be dealt with by the organ which you are asking Parliament to call into existence? This is the first question. Supposing I am able to prove that an affirmative answer should be given to that inquiry, the next and not less natural question to be put by the representatives of the people, and, moreover, to be put to a certain extent in the tone and with the aspect of rejection, is—Why must Great Britain be cumbered with this question? Well, sir, I hope to show that it is an obligation of honour and of policy that Great Britain should undertake it.”

And again, in the same speech the Prime Minister said :—

“Now after what I have said—after the fearful exasperation which has been introduced into agrarian relations, which are the determining elements of Irish society—after the long continuance of the mischief, so that it has become chronic in the system, and forms part of the habits of the people, we arrive at the conclusion that it would be an ill-intended and ill-shapen kindness to any class in Ireland to hand over to an Irish Legislature, as its first introduction to the work that it may have to perform, the business of dealing with the question of the land.”

These views were echoed by Lord Spencer and Mr. Morley.

In the Bill of 1893 the “obligation of honour and of policy” is thrown to the winds. Its only reference to the land question is a provision (Section 35) that it shall not be dealt with by the Irish Legislature for three years. After that, the Irish landowners are to be handed over, bound hand and foot, to the mercy of the Land League chiefs. And it may be pointed out that the plunder of landed property in Ireland will affect not only the Irish landowners and those dependent on them, whom it will ruin, but thousands of people of all classes in this country, shareholders and policy-holders of insurance companies and the like, who as mortgagees or otherwise are interested in Irish land.

It was hardly worth while to give the victims the nominal respite of three years. The day after a Home Rule Government comes into power it can, if it pleases, by refusing to enforce the collection of rent and the other rights of property, destroy the landowner's interest as effectually as by any formal Act.

Can any man in the three kingdoms seriously doubt that Irish land *would* be the object of indiscriminate plunder? Some guileless Gladstonians pretend to believe that an Irish Parliament would deal justly with all classes. Their simplicity is enviable. The first Irish Ministry will include Mr. William O'Brien, who said,<sup>1</sup> “There will be no healthy life in Ireland

<sup>1</sup> February 17, 1883.

until the origin of the pestilence (the landlords) are driven, *bag and baggage*, out of the land;" and Mr. Healy, who said,<sup>1</sup> "The people of this country never will be satisfied as long as a single penny of rent is paid for a sod of land in the whole of Ireland." The front benches of the Irish Parliament will be filled by those very "respondents" of whom the Special Commission Judges found that they "did enter into a conspiracy, by a system of coercion and intimidation, to promote an agrarian agitation against the payment of agricultural rents, for the purpose of impoverishing and expelling from the country the Irish landlords, who were styled the 'English garrison.'" <sup>2</sup>

## II. PROPERTY—COMMERCE.

Land will be the first object of plunder, but land will not be the only object. The Bill contains a provision that the powers of the Irish Legislature shall not extend to the making of any law "whereby any person may be deprived of life, liberty, or property without due process of law,<sup>3</sup> or may be denied the equal protection of the laws, or whereby private property may be taken without just compensation," a significant indication, considering who its authors are, of the policy which that body may be expected to desire to pursue. Messrs. Healy and Co. need not trouble themselves much about the clause. "Due process of law" means process of laws enacted by themselves; "just compensation" means—what? Presumably compensation considered "just" by a Court or Commission appointed and paid by the Assembly. How Nationalists are willing to deal with the "life, liberty and property" of their political opponents is only too clearly shown by the doings during the last fourteen years of the Land League and the National League, whose leaders, it cannot be too often repeated, will be at the head of Irish affairs. Is it likely that in questions of taxation these men would deal fairly with their political opponents? To take an example, would the hated linen trade of Ulster be justly dealt with?

Insecurity of property means the destruction of commerce. The prospect of Home Rule has filled business men all over Ireland with alarm and apprehension. Capital is flying from the country. Within a month from the introduction of the Bill, the securities quoted on the Dublin Stock Exchange alone

<sup>1</sup> November 10, 1883.

<sup>2</sup> See page 201.

<sup>3</sup> The qualification "in accordance with settled principles and precedents" was introduced in Committee. It is difficult to see what is the practical value of such a qualification applied to future legislation. *What* "principles and precedents?" Those of the Land League or those of the "foreign" Law of England?

fell, on a moderate estimate, £5,120,000 in value, made up as follows (we take the figures from the money article of the *Irish Times* of March 10, 1893):—

Corporation stocks . . . . .	£50,000
Bank of Ireland stock . . . . .	1,000,000
Other bank shares . . . . .	500,000
Great Northern Railway . . . . .	450,000
Great Southern and Western . . . . .	300,000
Midland Great Western . . . . .	150,000
Other railway Ordinary stocks . . . . .	100,000
Railway Preference stocks . . . . .	370,000
Railway Guaranteed stocks . . . . .	250,000
Railway Debenture stocks . . . . .	450,000
Guinness' shares . . . . .	750,000
Other shares . . . . .	750,000
<hr/>	
Grand total . . . . .	£5,120,000

On the 10th of March a large deputation of leading men, representing the commercial and industrial interests of Dublin and the South of Ireland, waited on Lord Salisbury and the Unionist leaders.<sup>1</sup> The views of Irish business men on the Bill cannot be more authoritatively set forth than in the words of their address:—

“The deputation which wait on you consist of representatives of commercial interests in the three southern provinces of Ireland, who are united in their belief that the Home Rule Bill now before Parliament will, if passed into law, arrest the growing prosperity of Ireland, which, under the firm rule of the last few years, had been steadily increasing. We represent no separate creed or class, and we desire no ascendancy, social or religious. We are all personally concerned and vitally interested in the development of the industries of Ireland. We know that for that development and for the happiness and prosperity of the Irish people of all classes, a steady and just government, with equal rights and liberties for all, is before all things essential; and we hold, with unhesitating conviction, that the Government of Ireland Bill offered no promise of either equal liberties or of just and steady government. On the specific provisions of the measure itself, we do not propose to enter. Its whole scope appears to us radically unjust, and certain to promote neither peace nor progress in Ireland. The proposed scheme of a separate Legislature gives enormous powers for mischievous interference with individual and corporate rights qualified only by artificial and impracticable limitations. The special safeguard devised for the supposed protection of minorities seems to us likely rather to intensify

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<sup>1</sup> Mr. Gladstone refused to receive them.



and embitter party animosities than to allay them. Much has been done within the last few years, both by Government assistance and by private effort, for the material advancement of Ireland. The effects of these efforts are just now beginning to show themselves, and all classes in Ireland were looking to the future with renewed, and as we believe, with well grounded hope—to a future in which party feeling and barren political agitation were rapidly calming down. The bill of the Government throws amongst us a new apple of discord, and plunges Ireland again into a state of political and party ferment, which cannot but arrest business enterprise in every direction. We find in the bill no prospect of anything but the perpetuation and intensification of the unsettlement which has so long been a source of shame and sorrow to all true friends of Ireland; and we earnestly trust, not only for the sake of Ireland, but for the sake also of the United Kingdom, of which Ireland still forms an integral part, and of the Empire in which Irishmen, the attached subjects of our gracious Queen, and loyal adherents of the constitution, have been proud to have their birthright, this Bill may never be allowed to pass into law.”

Similar expressions of opinion come from all parts of Ireland. An admirable forecast, founded on detailed facts and figures, of the probable effect of Home Rule on Irish commerce and industry, will be found in the Report of the Council of the Belfast Chamber of Commerce, presented to the Chamber on March 17.<sup>1</sup>

It should not be forgotten that the exodus of capital from Ireland means also the exodus of labour, that is to say, the further flooding of our crowded labour market with hordes of the lowest class of Irish, to depress the wages and swamp the votes of our working-class.

## 12. THE RELIGIOUS DIFFICULTY.

However undesirable it may be to introduce sectarian feeling into a political discussion, it is useless to ignore the fact that the antagonism between Protestants and Roman Catholics in Ireland is much more bitter than it is in this country. Political power placed in the hands of an overwhelming Catholic majority would certainly be used, indirectly if not directly, for purposes of religious persecution. Recent elections have shown how potent a factor the priest still is in Irish politics.<sup>2</sup> The majority of the Legislative Assembly will consist of the nominees of Archbishop Walsh and Dr. Nulty. That majority will have

<sup>1</sup> Issued at the time by the Chamber in pamphlet form.

<sup>2</sup> See page 273.

power to deal with the marriage laws. It may make civil marriage illegal; it may prohibit mixed marriages altogether. While it may not formally endow the Roman Catholic Church, it may do so indirectly by appointing priests to be school managers, paid out of public money. By making grants to clerical schools, to those of the Christian Brothers, for instance, it may endow a system of purely denominational education, and it may bring University education under clerical control.

The Protestant churches of Ireland are fully alive to these dangers. On March 14 a special meeting of the Synod of the Episcopalian Church of Ireland was held in Dublin, at which a resolution of earnest opposition to Home Rule was unanimously passed, and on the following day the General Assembly of the Presbyterian Church met in Belfast and passed a similar resolution with only *one* dissentient voice.

### 13. THE CIVIL SERVICE AND THE POLICE.

No feature of the Bill is more iniquitous than the way in which it proposes to treat the Civil Service and the Police. The permanent civil servants of the Crown (except a few of the higher officials) are to be liable to dismissal on six months' notice by the Irish Government, who will be delighted to find places for their own needy followers. The Treasury *may*, after consultation with the Irish Government, award them pensions, in accordance with Schedule 4. This means that men who, trusting to the faith of the British Government, have devoted their lives to its service, may in middle life, when it is too late to start in another profession, be turned adrift on a beggarly pittance, with their whole future prospects destroyed.

The Royal Irish Constabulary are to be broken up and disbanded within six years. No finer or more loyal body of men ever served the Queen; through calumny, hardship, and danger they have always done their duty bravely and faithfully. And now they are to be left to find a livelihood where they may, or to beg for admittance to the service of the criminals and criminals' friends, who have vowed vengeance upon them.<sup>1</sup> It is not the first time that Mr. Gladstone has abandoned British garrisons.

<sup>1</sup> *E.g.*, "It will be our duty—and we will set about it without delay—to disorganise and break up the Royal Irish Constabulary, that in the past thirty years has stood at the back of the Irish landlords."—*Mr. John Dillon at Castlereaagh*, December 5, 1886. Mr. Dillon explained to the House of Commons that this speech was made under great excitement, "shortly after the terrible massacre at Mitchelstown," which took place on September 9, 1887! See House of Commons Proceedings, July 3, 1893.

## 14. FINANCE.

It is impossible within our limits of space to examine in detail the complex financial provisions of the Bill.<sup>1</sup> The matter is the less important as they are scarcely likely to reappear in the same form. The great fact to be kept in mind is the preposterously inadequate contribution which it is proposed that Ireland should make towards the Imperial revenue. Mr. Gladstone seems to have made up his mind throughout that we must not only set up an independent Irish Exchequer, but present it with a surplus of half a million to start with, as well as a large annual subvention. In 1886 he took "taxable capacity" as the true criterion of what each section of the United Kingdom should pay to the common fund; but although he measured the taxable capacity of Ireland at 1-14th that of the United Kingdom, he proposed that she should only contribute 1-25th to Imperial revenue. In February 1893 he took the product of a particular tax as representing what Ireland should pay. This made the Irish contribution 1-26th of the whole. Then he proposed an arbitrary gift to Ireland of half a million towards the expense of the constabulary, which changed the initial contribution from 1-26th to 1-30th. Then he changed his mind again, and in the scheme submitted in July 1893 he proposed to take the contribution actually paid at that time as the best practical guide. This he stated at one-third of the Irish revenue, making 1-27th or 1-28th of the whole Imperial contribution to common expenditure. Then he deducted the cost of collection and one-third of the cost of the constabulary, thus reducing Ireland's contribution from 1-28th of the whole to 1-40th. Ireland as it is pays much less than her share of Imperial revenue in proportion to the return she gets from Imperial expenditure. Supposing she were taxed, not according to the cost of what she receives, but according to her taxable capacity, a much more favourable arrangement, her present quota would be about 1-18th of the whole, say £3,350,000.<sup>2</sup> Under Mr. Gladstone's scheme she would be required to pay less than half that amount—at least £543,000 less than she does now, and £1,800,000 less than she ought to pay.

"This," said Mr. Chamberlain in Committee, "is the price which the British taxpayer is asked to pay for making the Nationalist members omnipotent in Dublin, and giving them a controlling voice in the British Legislature."

<sup>1</sup> The financial clauses, much altered from their original form, were brought forward in Committee on July 21, and finished by means of the closure on the 27th. For destructive criticism of their details see the discussion in Committee, especially the speeches of Mr. Chamberlain (July 21) and Mr. Goschen (July 24).

<sup>2</sup> The net Imperial expenditure is £60,500,000.

The Bill as amended provides that during six years taxation is to remain in the hands of Parliament. The Irish, especially the Parnellites, are not by any means satisfied with its financial provisions. Should such a measure become law it is easy to see that the provisional period would be spent in putting the screw on the Government to extend further concessions, probably with success.<sup>1</sup>

After the expiry of the six years the duties of customs are to remain in the hands of Parliament, and to be collected by Imperial officials. This means, that in the midst of a hostile population, in whose eyes smuggling is no crime, "alien" Revenue officers, clad in a "foreign garb," are to collect an Imperial tribute, and that they are to do so without the good will or the support of the Irish Government, and with the fate of the Royal Irish Constabulary before their eyes as an encouragement. Under these circumstances the Imperial Exchequer will do pretty well if it ever sees 10 per cent. of the duties.

With reference to sums due from the Irish to the Imperial Exchequer, the Bill contains a curious provision (Section 12, sub-section 2) authorising such payments to be made on the sole order of the Lord Lieutenant, "*without any counter signature*," evidently contemplating difficulty in getting Irish ministers to pay their country's debts. Such an order could be easily made; how could it be enforced, supposing that an Irish ministry refused to obey it? The only further security there is for the payment of sums due to this country is the financial honesty of Irish politicians. The value of *that* security may be judged in the light of recent history.

Let it be repeated again and again—*The men to whom it is proposed to entrust these great financial interests are the organisers of that gigantic swindling conspiracy, the Plan of Campaign.*

## 15. CHARACTER OF THE AGITATION.

So far as to the Bill. After all, the great and insuperable objection to any form of Home Rule, which includes all other objections, is to be found in the character and aims of the Nationalist agitation. Home Rule might be workable if it placed the Government of Ireland in the hands of men who

<sup>1</sup> "The new financial clauses of the Government Bill make it worse than it was. Apart altogether from questions of sentiment, a measure of local government which imposes burthens and actually precludes the community from raising its own taxes to meet them, which forbids the collection of any revenue that is not sanctioned and administered, in effect, by Englishmen and Scotchmen, and which for six years reduces us to the position of a tributary province, is not the Home Rule that patriotic and practical-minded Irishmen have desired and worked for." —*Irish Daily Independent*, July 24, 1893.

would loyally fulfil their bargain, who were honestly friendly to this country, and who desired to do justice to all classes in Ireland. Does any one seriously maintain that so much can be said for the obstructors of Parliament—the organisers of the Land League—the distributors of the *Irish World*—the friends of the Clan-na-Gael? We are told that Home Rule would finally settle the Irish Question, and that Ireland would give us no more trouble. It is a cowardly argument if it were true; it is merely fatuous in face of the fact that the Irish agitators—judged out of their own mouths—will be satisfied with no agrarian concession short of a general confiscation of landed property, and with no political concession short of the establishment of an Irish Republic.

“It is perfectly true,” said Mr. Gladstone in 1881, “that these gentlemen wish to march through rapine to the disintegration and dismemberment of the Empire.” It is equally true to-day.

### PART III.—EXTRACTS FROM SPEECHES, &c.

#### I. OPINIONS OF BRITISH STATESMEN.

##### *Lord Beaconsfield.*

“A danger, in its ultimate results scarcely less disastrous than pestilence or famine, and which now engages your Excellency’s anxious attention, distracts that country. A portion of its population is endeavouring to sever the constitutional tie which unites it to Great Britain in that bond which has favoured the power and prosperity of both.

“It is to be hoped that all men of light and leading will resist this destructive doctrine. The strength of this nation depends on the unity of feeling which should pervade the United Kingdom and its widespread dependencies. The first duty of an English minister should be to consolidate that co-operation which renders irresistible a community educated, as our own, in an equal love of liberty and law.

“And yet there are some who challenge the expediency of the Imperial character of this realm. Having attempted and failed to enfeeble our colonies by their policy of decomposition, they may perhaps now recognise in the disintegration of the United Kingdom a mode which will not only accomplish but precipitate their purpose.”  
—*Letter to the Duke of Marlborough, Lord Lieutenant of Ireland, March 8, 1880.*

##### *Mr. John Bright.*

“But what of the partnership (between Mr. Gladstone and the Parnellites), and to what has it led? I venture to say to such a humiliation of the Liberal party which still adheres to Mr. Gladstone

as its history has not before exhibited. But the Ethiopian of 1881 and 1882 has changed his skin. Where is the proof of this? The Dublin newspaper, *United Ireland*, is said to be the property of the two leading members of the Irish party, and Mr. O'Brien is its editor. Its editor now is in Canada or the United States. He has visited Canada that he might slander the representative of the Queen, and, it may be, to excite something like insurrection against him. The last report of him is that he would not spend the Queen's birthday on territory under the British Queen—so great is his hatred of England and of England's Sovereign. In Ireland an active member of the rebel conspiracy congratulates the mayor of an important corporation on his refusal to show civility or loyalty to one whom he describes as a foreign Sovereign; and *United Ireland*, the newspaper which is the property of Mr. Gladstone's most important Irish supporters in Parliament, concludes an article on the course taken by the town council of the City of Cork in regard to the Thanksgiving Service in Westminster Abbey, by saying that the mayor caused a letter to be written setting forth why he and the town council declined to take part in a celebration which to all true Irishmen must be sickening. It is to this conspiracy, consisting of men of this character, that the great surrender is to be made. It is to the eighty-six Irish members, of whom it is said that at least forty of them sit in Parliament by right of dollars contributed in America by the avowed enemies of England and of the Queen's right of government, that the great English Liberal party is called on to abandon its past policy, and to prostrate itself before an odious, illegal, and immoral conspiracy; and to this conspiracy, made a Parliament in Dublin, we are to transfer the government of two millions of the Irish people who are as loyal as are the inhabitants of the county of Warwick. And all this we are asked and advised to do by a statesman who has been for ten years the chief adviser of the Crown. There are some men in the House of Commons now following Mr. Gladstone and his Irish colleagues, who do so with great doubt; some, I am persuaded, with a feeling not far removed from loathing. Their countenances express dissatisfaction and regret, and something akin to shame. How long they will march in line with the Irish eighty-six, how long they will come up day by day to the whip of the front Opposition bench, the progress of the session will show. We who remain true to the principles and policy of the Liberals, who have gained so many victories of recent years, must grieve over the temporary ruin of the party. But we may console ourselves with the knowledge that our course has been direct, and that we stand before the country guiltless of the mischief and without shame."—*Letter to Mr. Chamberlain*, May 30, 1887.

"Your plan a year ago was to place Ulster under the rule of a Parliament in Dublin, and the people know and dread that their future fortunes would be subject to the control of a body of men about whose character and aims you and I differ very seriously. You deem them patriots, *I hold them to be not patriots, but conspirators against the Crown and Government of the United Kingdom. It is not long since we agreed, or I thought we agreed, on this point. You have*



*changed your opinion. I can only regret that I have not been able to change mine. . . . I grieve that I cannot act with you as in years past, but my judgment and my conscience forbid it.*—*Letter to Mr. Gladstone, "The Times," June 16, 1887.*

*Lord Salisbury.*

“At the time when you are asked to give the executive power into their (the Nationalists’) hands you are practically asked to place at their mercy all the minority, all the loyalists, all the industrious, commercial, and progressive part of the community. At a time when you are asked to place in their hands a power which will make them military masters of the island of Ireland, at that time a minister of the Crown can speak of a large proportion of the people hating us. Is it not madness at such a moment to give such a weapon into their hands? However much you may be willing to recognise their good qualities, however much you may desire to improve their condition, still when you know that a large proportion of them hate us, when you know that it is not a sentiment of to-day, but that it has been rising up year after year and generation after generation for a long time past, when also you know that the measures—the so-called remedial measures—adopted by Mr. Gladstone have only exasperated and increased that hatred—when you know all this, is it not madness to assume that their feeling will turn in a day, and they will forget in a moment all that they have thought and felt in the past, and to give unreservedly into their hands the fate of your friends and the power and integrity of the Empire? It is really now for the people of this island to decide whether they will make this terrible experiment and run this enormous risk. I believe that their answer will be the same as the answer of their representatives in the House of Commons. I believe that in the country, as in the House of Commons, by the union of men who, despite of party and rising above party, have combined together to support interests far superior to any of those over which we have party struggles—that by the combination we shall be enabled to return a good answer to the question that has been put to the country, and that the union of all patriotic men will preserve our united empire.”—*Speech at Hatfield, June 12, 1886.*

*Mr. Gladstone (before his conversion).*

“Can any sensible man, can any rational man, suppose that at this time of day, in this condition of the world, we are going to disintegrate the great capital institutions of the country for the purpose of making ourselves ridiculous in the sight of all mankind, and crippling any power we possess for bestowing benefits through legislation on the country to which we belong?”—*Speech at Aberdeen, September 26, 1871.*

“We have got before us a state of crime widely extended. Gentlemen would have us to suppose that this crime is owing to distress in Ireland, that it is owing to evictions in Ireland. It is evident, by



the testimony afforded by facts, that it is owing neither to the one nor to the other. . . . With fatal and painful precision the steps of crime dogged the steps of the Land League"<sup>1</sup>—*Speech in House of Commons*, January 28, 1881.

"For nearly the first time in the history of Christendom, a body—a small body—of men have arisen who are not ashamed to preach in Ireland the doctrines of public plunder. . . . I take, as the representative of the opinions I denounce, the name of a gentleman of considerable ability—Mr. Parnell, the member for Cork—a gentleman, I will admit, of considerable ability, but whose doctrines are not such as really need any considerable ability to recommend them. If you go forth upon a mission to demoralise a people by teaching them to make the property of their neighbours the objects of their covetous desire, it does not require superhuman gifts to find a certain number of followers and adherents for a doctrine such as that."—*Speech at Leeds*, October 7, 1881.

"It is a great issue; it is a conflict for the very first and elementary principles upon which civil society is constituted. It is idle to talk of either law or order, or liberty or religion, or civilisation, if these gentlemen are to carry through the reckless and chaotic schemes that they have devised. Rapine is the first object; but rapine is not the only object. It is perfectly true that these gentlemen wish to march through rapine to the disintegration and dismemberment of the Empire, and, I am sorry to say, even to the placing of different parts of the Empire in direct hostility one with the other. That is the issue in which we are engaged."—*Speech at Knowsley*, October 27, 1881.

"Suppose that owing to some cause the present Government has disappeared and the Liberal party was called to deal with this great constitutional question of the government of Ireland in a position when it was a minority dependent upon the Irish vote for converting it into a majority. Now, gentlemen, I tell you seriously and solemnly that though I believe the Liberal party to be honest, patriotic, and trustworthy in such a position as that, it would not be safe for it to enter on the consideration of the particulars of a measure in respect to which, at the first step of its progress, it would be in the power of a party coming from Ireland to say, Unless you do this and unless you do that we will turn you out to-morrow."—*Speech at Edinburgh*, November 9, 1885.

In order to have a majority independent of the Irish vote Mr. Gladstone required a total majority, Gladstonian and Nationalist, of at least 170. In 1892, 315 Unionists were returned to Parliament; the Home Rule majority was only 40. On Mr. Gladstone's own statement it was not "safe" to deal with the question of Home Rule under such conditions, yet he hastened

<sup>1</sup> Of which Mr. Parnell was president.

to do so and forced a Home Rule measure through the House of Commons. Can he complain because the House of Lords has taken him at his word and rejected his Bill as a danger to the Empire?

*Sir William Vernon Harcourt* (before his conversion).

"There exists a body of men who have not for their object, or, at all events, for their principal object, the advantage of the Irish tenant, but who are pursuing schemes of political revolution. The land agitation in their hands is not merely a constitutional agitation to redress land grievances, which is perfectly justifiable; it is an agitation whose object is to destroy the union of the Empire, and to overthrow the established Government of the United Kingdom. Mr. Parnell admits now that what he wants is not fair rents; he wants no rent at all. He wants to get rid of the landlords in order that he may get rid of the English Government."—*Speech at Glasgow, October 25, 1881.*

Speaking of the alleged "Tory-Parnellite Alliance," Sir William Harcourt said:—

"The party of 250 Tories in the House of Commons would claim to govern the country. . . . They propose to do it by an intimate alliance with men who openly avowed their object was the dismemberment of Ireland from England. Is it possible this country is going to tolerate such a transaction? Liberals must not be in a hurry to turn the Tories out. . . . I would let them for a few months stew in their own Parnellite juice, and then when they stink in the nostrils of the country, as they will stink, then the country will fling them, discredited and disgraced, to the constituencies, and the nation will pronounce its final judgment upon them."—*Speech at Lowestoft, December 7, 1885.*

*Mr. John Morley.*

"I could not vote for a separate Parliament for Ireland, and I would vote for no measure, or proposition, or resolution, or inquiry which let it be supposed that that is an open question in my mind. No one can suppose that I sympathise with the land agitation to break the law of the land and the law of honesty between debtor and creditor."—*When contesting Westminster, December 9, 1879.*

"The late Government, to their great honour, passed an Act to prevent landlords confiscating the property of their tenants. That was a noble exploit. I do not think we shall be able to deal satisfactorily with Ireland until we have passed some legislation to prevent tenants from confiscating the property of their landlords."—*Speech at Chelmsford, January 7, 1886.*

*Sir George Trevelyan* (before his conversion).

“That any responsible body of ministers, whatever else they did, should put the keeping of the police, the enforcement of civil obligations, and the safety and property of our fellow-citizens throughout Ireland in the hands of an elective Irish Parliament, I could not believe. . . . It is not only landlords and red-hot Orangemen who feel apprehensive, it is every one who has asserted his legal right to work for whom he likes; every one who takes any part in bringing to justice those whom the organs of the new administration and party regard as victims and martyrs, every quiet citizen and every member of that minority which would not be a minority if both parties would join in determining that law and order should no longer be trifled with any more than it is trifled with in Yorkshire or Somersetshire.”  
—*Speech in House of Commons*, April 8, 1886.

*Mr. Chamberlain.*

“We have had occasion to see another example of the results of the new morality, which, unlike the ancient Liberalism that was founded on the Ten Commandments, is founded upon an entire ignorance of those important injunctions. Although a good deal was said and a great deal more was insinuated as to the composition of the Commission, and as to the supposed prepossessions of the judges, no one, no Gladstonian, and not even any Parnellite, has attempted to dispute the general and substantial accuracy of the findings of the judges. In all future discussion those findings, so far as they relate to matters of fact, may be taken for granted; they have not been disputed; they cannot be disputed. The only question which remains is, what conclusions you shall draw from them, what estimate you shall place upon those findings. Now, what were the findings of the judges? Briefly, they may be put in a single sentence. Whereas the respondents have been cleared of personal and direct complicity with crime, the organisation which the respondents promoted and founded was the chief cause of crime in Ireland; and it was in close and intimate relationship with the associations in the United States of America which were created to promote *assassination and outrage by dynamite*; and, further, it is found that the leaders of this Irish Association incited to intimidation, and refrained from denouncing it, although they knew that this intimidation led to crime, and even to the crime of murder. Those are the facts. They have not been denied; they cannot be denied. What was the attitude of the Gladstonian party towards those findings—towards a judicial decision which, I believe, has no parallel in our political history? Did they condemn with natural indignation the policy which led to these results? No, gentlemen, they devoted their eloquence and their sophistry to palliate and to defend it. Did they sympathise with the victims of this policy, with the men in humble circumstances, who had been ruined or crippled for life, with the widows and the

orphans who had been made desolate by these terrible offences? Not a bit of it; they reserved their sympathy for the authors of this policy. Did they even demand securities and guarantees for the future, that, at least in the future, there should be no repetition of such a policy? No; they appealed triumphantly to legislation as an excuse and a justification for the methods by which this so-called constitutional agitation has been tarnished and disgraced. I say that in the speeches of the leaders of the Gladstonian party there will be found for all time a text-book for revolutionary crime. If a political object can be alleged, if a political advantage can be shown, no one will in future lack encouragement, or lack argument for such incidents of the campaign as assassination and dynamite. You must keep clear of personal complicity with crime that is still punishable by law; that has not yet been justified even by the Gladstonian Liberals. *But if you do this you may pursue a course every step of which has been clearly traced out by the report of the judges—a course which leads to crime with fatal and unerring precision. You may sit in your studies with your hands on the throttle-valve of crime, turning it off and turning it on at your pleasure; but if you are skilful enough to avoid legal responsibility, you may yet see yourselves described by Mr. Gladstone as the saviours of society, and you may have his followers extol you for your lofty patriotism and your unselfish devotion.* In the course of this debate I heard Mr. Parnell compared to all the heroes of popular and patriotic agitation in the past—to Tell and to Garibaldi, and—Heaven save the mark—to George Washington himself. I thought that that comparison, at all events, was rather an unfortunate one, for history tells us that George Washington never told a lie—not even to mislead the House of Commons. But this extravagant laudation only shows the confusion into which the Gladstonians have plunged since they gave up the old morality to adopt the new; since they divorced politics from ethics, and adopted the principle that the end will sanctify the means. Their decline and fall has been a very rapid one. The same men who now stand up to defend boycotting as exclusive dealing, who speak of the Irish League as though it were a trade union, and talk delicately of the Clan-na-Gael as a friendly society—these are the men who, five years ago, when the charges which have now been proved before the judges were mere matters of suspicion and assertion, denounced the Parnellites from every platform in the United Kingdom; called clamorously for more and more stringent coercion, and ridiculed Home Rule as being altogether outside the sphere of practical politics.”—*Speech at Birmingham, “The Times,” April 11, 1890.*

#### SHORT TEXTS FOR UNIONISTS.

*Canning.*—“Repeal the Union. Restore the Heptarchy!”

*Peel.*—“A separate Parliament for Ireland would mean the disbanding of society.”

*Spring Rice.*—“The rash measure would be followed by the entire subversion of the Empire.”

*Lord Althorp.*—"Repeal would lead either to total separation or to the utter degradation of the Legislature of Ireland."

*Lord Grey.*—"The severance of the Union would imply a separation not merely of the Government but of the peoples of both countries."

*Lord Brougham.*—"Severance of the legislative Union means in reality the disruption of the Empire."

*Sir James Graham.*—"A war would be safer than the repeal of the Union."

*Duke of Wellington.*—"Repeal cannot do otherwise than lead to a severance between the two countries."

*Lord Melbourne.*—"I am asked how far I coincide in the opinions of Mr. O'Connell about union with Ireland: I answer, 'Not at all.'"

*Lord Palmerston.*—"A separation between the two countries would be fatal to the British Empire."

*Lord Macaulay.*—"Never! Never! Never!"

*Earl Russell.*—"I fear if an Irish Parliament is set up in Ireland all her energies will be wasted in political contention."

*Mr. Fawcett.*—"Home Rule, if conceded, will lead step by step to the dismemberment of the Empire."

*Mr. Forster.*—"Repeal of the Union would be ruinous to Ireland and dangerous to this country."

*Mr. Bright.*—"To have two Parliaments in the United Kingdom would, in my opinion, be an intolerable mischief."

*Lord Beaconsfield.*—"If we sanction this policy we shall bring about the disintegration of the kingdom and the destruction of the Empire."

## II. SPECIMEN UTTERANCES OF NATIONALIST LEADERS.

*Mr. C. S. Parnell.*

"The feudal tenure and the rule of the minority have been the corner-stone of English misrule. Pull out that corner-stone, break it up, destroy it, and you undermine English misgovernment. (Applause.) . . . And let us not forget that *that is the ultimate goal at which all we Irishmen aim. None of us—whether we are in America or in Ireland, or wherever we may be—will be satisfied until we have destroyed the last link which keeps Ireland bound to England.*" (Applause.)—*Speech at Cincinnati, U.S.A., February 23, 1880.*

Replying to Nationalists' address on his return from America, he said that their refusal to take any part in the elections, he was sure, was determined upon after due consideration, and he added that—

"In America both young and old were determined to uphold the cause they upheld in Ireland—the right to take her place amongst the nations."

In another speech on the same occasion, he said :—

“The time was not far distant when their countrymen in every part of the civilised world would be all united with them as one man in helping Ireland to spring to her feet and strike off the detestable yoke of Irish landlordism. And when they had shattered this infamous system, the time would not be far distant when Ireland would gain the greater right—the right of self-government—the *right of nationhood*. . . . *If we succeed in emigrating the Irish landlords, the English Government will soon have to follow them.*”—*At Cork, March 22, 1880.*

“Believe me, the spirit that is alive in Ireland to-day, a spirit which is exhibited by the silent martyrs in Kilmainham and other jails ; a spirit which is exhibited by Michael Davitt far off in Portland Prison, willing to suffer five more long years of penal servitude, provided that you on your side do your part and your duty ; a spirit which is shown in every quarter and in every corner of Ireland ;—that spirit, fellow-countrymen, will never die until it *destroys the alien rule which has kept our country impoverished and in chains, and sweeps that detestable rule, with its buckshot and its bayonet, far away over the channel, whence it can never return.*”—*Speech at Dublin, September 26, 1881.*

*Mr. T. M. Healy.*

“I say that the property of the Irish landlords deserves to be abolished more than the property of slaveholders deserved to be wiped out by the sign manual of Abraham Lincoln. We believe that landlordism is the prop of English rule, and we are working to take that prop away. To drive out British rule from Ireland, we must strike at the foundation, and that foundation is landlordism. . . . We wish to see Ireland what God intended she should be—a powerful nation. We seek no bargain with England. *As the Master said unto the tempter when he offered Him the kingdoms of the earth, ‘ Begone, Satan ! ’ so we will say unto them, ‘ Begone, Saxon ! ’*”—*Speech at Boston, U.S.A., “ Irishman,” December 24, 1881.*

“You may argue, you may demonstrate, you may speechify, you may assemble in your thousands, you may pass resolutions, you may send representatives to Parliament, but until the rattle of the slugs is heard on the roadside, the Prime Minister of England will not even take the trouble of investigating the ordinary facts in connection with the commonest grievances of our native land.”—*Speech at National League, Dublin, “ Freeman’s Journal,” October 1, 1884.*

*Mr. William O’Brien.*

“If they must have hunting at all, let them keep their hands in practice by hunting landlords. (Loud cheers.) Hunt landlordism up hill and down dale until landlords are as scarce as the foxes that



it is now their desire to rear and protect. (Loud cheers).”—*Speech at Carrick-on-Suir, “Irish Times,”* September 8, 1884.

“When the complete programme of the Land League is accomplished, landlordism would vanish from the country, and the soil of Ireland would be free, its people owning no master but the Almighty, and *owning no flag but the green flag of an independent Irish nation.*”—*Speech at Gorey, “Irish Times,”* August 24, 1885.

“If England’s difficulty is Ireland’s opportunity, as it is—(cheers)—England’s difficulties are at this moment crowding pretty thick upon her. (Cheers.) (A voice, ‘The Mahdi is the boy for her.’) Her trade is bad at home, and, as a voice behind me reminds me, her armies are not doing a bit too satisfactorily out in the country of that black gentleman, the Mahdi. (A voice, ‘Three cheers for the Mahdi.’) . . . All sorts of new democratic forces are rising up, and if you, the people of Donegal and the people of Ireland, only do your part here at home, as Mr. Parnell and the men who fight under his banner will try to do in that foreign Parliament in the citadel of the enemy, you will not have to wait long for the opportunity of vindicating the rights of Ireland, and driving famine and landlordism and English rule for ever from the shores of Ireland. (Loud cheers).”—*Speech at Letterkenny, “United Ireland,”* February 21, 1885.

Under the heading “Can we hurt England?” the following appeared in a leading article in *United Ireland*, Mr. O’Brien’s paper, September 19, 1885:—

“We cannot fight England in the open. We can keep her in hot water. . . . The dynamiters in England probably never numbered a score all told. Yet for several years they kept millions of people on nervous tenter-hooks every time they heard a bang. . . . The Invincibles were a band of just twenty-seven; yet who cannot recall with a shudder that they murdered two of the principal governors of the country, opposite the Lord Lieutenant’s windows, attacked jurors and judges in crowded streets, held a great city for months in a state of chattering terror, and were only finally smashed because they failed to remember that refusing to open their lips in the Castle Star Chamber only involved a week’s imprisonment.”

*Mr. T. P. O’Connor.*

“I do not propose to be satisfied with the reduction of rent; that point once conceded, the way would be open for *absolute independence* from landlordism and the restoration of *Ireland’s national independence.*”—*Speech at Duluque, “The Irishman,”* January 14, 1882.

*Mr. John Dillon.*

“I remember when I saw Mr. Parnell there before the representatives of the American people, their honoured and invited guest—honoured as no foreigner had been honoured before, when I saw



him before the entire representatives of the United States of America, received as a distinguished man whom they were proud to honour, and I compared that with the insults heaped upon him by a nation of cowards, who had not the manliness to respect the man whom they had now in prison, an old feeling rose in my heart, and an old wish presented itself, *that it may some time come to be the fate of Ireland to shake off the union with England—(great cheers)—and to seek some kind of union with a nation which loves us, and whom we love.*—*Speech at Dublin on arrest of Mr. Parnell by the Gladstone Government, "Irish Times,"* October 14, 1881.

"Not being an Irish farmer myself, I do not know what view they take exactly with regard to evictions, but I may be allowed to say in the House, that if I was an Irish farmer, and that a body of men came to turn me out of my house and land, *I should decidedly shoot as many of them as I could manage to do, and take the consequences. I believe if the farmers took that course evictions would soon come to an end in Ireland. . . .* I have been accused, as I have already said, of advising the Irish people to procure rifles. The Home Secretary might quote a dozen speeches in which I have given the same advice. I did it for this reason—that I considered that if the Irish landlords had the knowledge that in every farmer's dwelling there was a rifle, it might exercise some check upon their depredations. . . . *The Irish people had not the means of waging civil war. I wish they had.*"—*Speech in House of Commons, "Freeman's Journal,"* March 4, 1881.

At Tipperary, on 28th October 1888, Mr. Dillon said:—

"There is not a Tipperary man in the four corners of the globe who does not curse in his heart of hearts the cruel and merciless fate which has never allowed him even on one occasion to meet upon equal terms and with arms in his hands the malignant and desperate enemies of his race."

"I deny utterly that I have ever, in the course of my life, lowered the flag of national independence, and I never shall."—25th October 1891.

*Mr. Michael Davitt.*

"I trust that every young man here to-day will have registered in his heart a vow which I made thirty years ago, *to bear towards England and England's Government in Ireland all the concentrated hatred of my Irish nature.* I and others have been preaching to the people for the last six or eight years, 'Do not commit any outrage; do not be guilty of any violence; do not break the law.' I say it here to-day, and I do not care who takes down my words, *I am heartily ashamed of ever having given such advice to the Irish people.* Would to God we had the means, the weapons, by which freemen in America and elsewhere have struck down tyranny. . . . We will make our children swear, as many of us have sworn, to carry on the fight at any cost . . . until landlord tyranny and English government are destroyed in Ireland."—*Speech at Bodilke, "Freeman's Journal,"* June 3, 1887.

*Mr. John O'Connor.*

"To-day the man who holds the key of the political situation in England says that we are in a state of civil war. I hope there is civil war in every man's mind and heart, because, judging by the past, there can be nothing but good come out of the state of civil war. . . . I believe, as far as my judgment allows me to go, that the state of civil war must be intensified—*your hostility must become greater, and your discontent made more active.*"—*At Ballylooby, Co. Tipperary, "Cork Herald,"* October 15, 1888.

*Mr. John Redmond.*

The often-repeated statement that the Nationalist leaders of to-day have renounced the separatist objects of their predecessors has been disposed of once for all by Mr. Redmond, now leader of the Parnellite party, who, speaking at a banquet in the Mansion House, Dublin, on 23rd April 1889, said:—

"Ireland, marked out as she was from the very first by the finger of Omnipotence as a separate and distinct nation—(applause)—had all the attributes of a nation long before the Norman invasion; and from the date of the Norman invasion to this moment there has been age after age one long and continuous struggle between this national sentiment and overwhelming odds. . . . Why, it may be asked, are we on occasions such as this asked to toast, 'Ireland a Nation'? Well, it seems to my mind that there is one very cogent reason. It is well for us at this time of the day, with all the signs of coming victory around us, to reassert before the world what we have so often asserted in the time of our darkness and trouble and despair—namely, to reassert what it is that this national movement means, and what it is that this national sentiment signifies from you, and from me, and from the people of Ireland. (Cheers.) What is the truth underlying this movement? I beg leave to say that *this movement to-day is the same in all its essentials as every movement which in the past history of Ireland has sought with one weapon or another to achieve the national rights of this land.* (Applause.) The truth underlying this movement to-day is precisely the same principle as that for which other generations have fought and died. It is the principle that the sons of Ireland, and they alone, have the right to rule the destinies of Ireland. (Hear, hear.) Gentlemen, I am prepared to maintain that more than that no Irish rebel leader in the past asked, and less than that I am here to maintain that no Irish leader of the present day can or ought to accept. (Applause.)"—*"Freeman's Journal,"* April 24, 1889.

## III. METHODS OF THE LEAGUE.

The publications of the Irish Unionist Alliance contain many hundreds of examples of the system of intimidation,

boycotting, outrage, and murder, by which the power of the Land League<sup>1</sup> was established. Special attention may be directed to the pamphlet entitled "The Sanction of a Creed" ("The sanction of boycotting . . . the murder which is not to be denounced"), issued in 1888.

We give only two cases. The first is almost unequalled in its cowardly cruelty.

*Tarring a Girl's Head.*

"On the 22nd January 1887 the district of Duhallow was visited by two of Mr. Parnell's talking machines, the redoubtable Dr. Tanner and Mr. O'Hea, who, with other minor lights, addressed meetings at a place called Moll Carthy's Bridge, and subsequently in Mill Street.

"Amongst other subjects the infamy of girls speaking to or keeping the company of policemen was dwelt upon in strong terms, and some days after this was followed by a resolution passed in the band-room, Mill Street, to the effect that any girls who allowed themselves so far to forget their duty to their country as to speak to policemen would be reported to Dr. Tanner, and seriously dealt with.

"National League meetings are almost generally followed by outrages, and the one in question was not an exception to the general rule, for within a few days afterwards the moonlighters were in motion, and attacks were made on the houses of peaceable and well-disposed people, who had become obnoxious from the fact that they took no part in the agitation, or from other causes.

"On the night of Thursday, the 3rd February, a moonlight campaign took place in the vicinity of Mill Street, and a party of men, numbering between twenty and twenty-five, armed with guns and revolvers, perambulated the district, attacking dwelling-houses. They visited the house of a well-to-do farmer named Jeremiah Murphy, who resides about four miles from Mill Street. Murphy's family includes two daughters, named Albina and Mary. He is a respectable man, and the grievance against him is that, though being a Nationalist, he does not take an active part in the work of the League. But the primary object which brought the moonlighters to his place was to see that the behests of the League with reference to girls who spoke to policemen were carried out, and to put into force the 'serious consequences' already referred to.

"About fifteen of the party entered the house, while the remainder were drawn up outside. Half-a-dozen of them went into one of the bedrooms, while the others remained in the kitchen with Murphy and his two sons, who were compelled to remain with their faces to the wall. A man named M'Carthy, a brother-in-law of Murphy's, was in the house, and remonstrated with the party, saying that it was a disgrace that they should attack the house of a man who had never

<sup>1</sup> Mr. Michael Davitt has told us most distinctly that "what is known in Ireland to-day as the National League is to all intents and purposes precisely the same organisation as the Land League which in 1881 was proclaimed as a dangerous association."—Speech at Queenstown, Sept. 22, 1887.

injured anybody, and the reply he received was a shot, the bullet lodging in the wall over his head.

"While this was going on in the kitchen a scene which, for scientific cruelty and brutal barbarity, could not be surpassed, was being enacted, the subject being a defenceless young girl. These half-dozen fiends, having entered the room, *two of them caught the affrighted girl and forced her to her knees, when another of the number cut off her hair with shears.* This was barbarous enough, but these patriots had not completed their vile work, for immediately *a quantity of tar, which was carried in a gallon measure, was poured over her head, face, and neck.* One of the party then said, 'Now, will you speak to the bobbies again,' and no reply being made by the terrified girl, the heartless scoundrels went into the kitchen, where they asked for the other daughter, Mary. They were told that she was in her room, and soon she was treated in the same manner as her sister, with the exception that no tar was put on her head, which may be explained by the fact that the supply of that stuff had been exhausted. About six shots altogether were fired in the house, and then the band left the place hurriedly, it being reported by those outside that the police were near.

"The poor girl Albina is in a very bad state, for, in addition to the frightful shock she received, her endeavours to remove the tar from her head and neck have had the effect of irritating and removing the skin. She is a comely young girl of about twenty-two years of age."—*Cork Constitution*, February 8, 1887.

### *The Murder of Bridget Flanagan.*

Mr. T. W. Russell, M.P., writing to the *Scotsman*, gave the following account of the murder, which took place on October 29, 1890:—

"A mere accident took me past the house of Michael Flanagan the other day, and I heard the story of his daughter's murder from his own lips. Flanagan is a fine sturdy old peasant, about sixty years of age. His wife is somewhat younger, and he had six children—three sons and three daughters. The house is about three miles from Liscannor, a little seaboard village, and is just behind the cliffs of Moher, which rise 800 feet sheer up from the sea. It is a wild and lonely spot, there being no house on one side nearer than two miles. From the front door, however, the villages of Lehinch and Liscannor are in full view. Flanagan's story to me was very simple. In the year 1884 he farmed some thirty Irish acres, for which he paid a rent of £30 per annum. The landlords were the M'Grath minors. He went into the Land Court and got a sweeping reduction, the fair rent being assessed at £13, 10s. The poor-law valuation was £10. At this time a farm of ninety acres in the immediate neighbourhood was vacant. From this land a Miss O'Brien had been evicted—evicted, too, long before Mr. Balfour had come into office, and when Sir George Trevelyan was boasting that he was 'still

an English gentleman.' The land had lain vacant for two years. During this time Miss O'Brien died, leaving no one behind her, and the landlord looked for a new tenant. There were many competitors for the holding, but Flanagan secured it at a rent of £67. From the day he entered into possession his troubles began. He was not a land-grabber, even in the League sense, at all. Many Leaguers bid for the farm. But Flanagan was at once rigidly boycotted. For four years he was treated as a leper. No one would buy from or sell to him. Everything he or his family ate or used had to be brought from Ennis—a town twenty miles distant; and on one occasion he had to sell his cattle at Athlone, a town some hundred miles from his home. The old man, however, was made of sterling stuff. He had got the land. It was paying him well, and he was prospering. So he declined to give it up. After four years of this rough warfare things began to settle down. He gradually became once more a free man. People bought his cattle, and the shops supplied him with goods. The people in the neighbourhood resumed their old relationships with him. In fact, on the very night of the murder one of his sons had been in a neighbour's house at a card party until night. But vengeance was not off the track—it was only delayed. On Tuesday night week the family retired to rest as usual. In a room off the kitchen the old man and his wife slept in one bed, his three daughters in another. The one bed was curtained; that on which the daughters slept was an open iron bedstead. The three sons slept in another room at the far end of the house. Shortly before two o'clock the whole household was startled by the firing of three shots. The house is on the roadside, but to get to the bedroom window a wall had to be crossed. Whoever fired the shot must have known the bedroom and its arrangements. Flanagan jumped out of bed at once. His eldest daughter Bridget, a girl of twenty, gave a loud scream and expired on the spot, before a light even could be struck. The sons were about to rush out unarmed, when the old man stopped them. 'Enough had been done,' he bitterly said. It was a bright moonlight night, and the bedroom shutters even had not been closed. The assassin could see inside clearly, and the evidence shows that he must have taken deliberate aim. At all events the bullet had its billet, and Bridget Flanagan, innocent of any wrongdoing, was sent to her doom. The old man's rage and grief were all but uncontrollable as he narrated the facts. The sons were very bitter, and railed against the laxity of the Government. They wanted the curfew re-enacted, and everybody out of doors in Clare after dark arrested. I wish those Gladstonians who fume against the Crimes Act could have stood where I stood at the back of the cliffs of Moher and heard these young men. The murder has undoubtedly impressed the people. There never was such a funeral in the place, and sympathy is everywhere felt for the afflicted father and mother. The parish priest and the bishop of the diocese have both denounced the crime in unmeasured language. A police hut is being erected close to the house, and there is no fear of Flanagan being driven from his holding. But what does it all come to? Here is a man who is held to have violated the unwritten law of the League. He took what they were pleased

to call an evicted farm which was in the market, and which was bid for by a crowd of his neighbours. The League boycott him for four years. He holds on his way, prospers and thrives. He, in fact, beats the boycotters, and then another department takes the matter up with the results described. Surely the veriest dullard can see the sequence here. I saw it clear enough whilst standing by that empty, blood-stained bed. Mr. Gladstone calls boycotting exclusive dealing. Is this not far more like the creed which has murder for its sanction? Is this not the very thing which the right hon. gentleman described in 1882, when he declared that murder was the thing which alone made boycotting effective?"—*Scotsman*, November 10, 1890.

#### IV. SOME OBJECT LESSONS IN HOME RULE.

##### *Nationalist Conduct of Debate.*

The extraordinary scenes in Committee-room No. 15 are a specimen of what the proceedings of an Irish Parliament would be. Reference may be made to the complete verbatim account of the proceedings published by the *Times*. A single short example is here given:—

*Mr. A. O'Connor*—"Mr. Gladstone is not a member of the party."

*Mr. J. Redmond*—"The master of the 'party.'" (*Cheers and counter cheers.*)

*Mr. T. Healy*—"Who is to be the mistress of the party?" (*Cries of 'Shame' and noise, and several of the members calling out remarks which could not be distinguished in the uproar.*)

*Mr. W. Redmond*—"They must be very badly off when they go to arguments like that."

*A voice*—"It is time."

*Mr. A. O'Connor*—"I appeal to my friend the chairman." (*Noise.*)

*Mr. Parnell*—"Better appeal to your own friends: better appeal to that cowardly little scoundrel there—(*noise*)—that in an assembly of Irishmen dares to insult a woman." (*Loud cheers and counter cheers.*)—*Times*, December 8, 1892.

##### *Nationalist Platform Oratory.*

Sir E. Ashmead Bartlett has collected some choice examples of the way in which Irish members describe one another *when in Ireland*. (*Union or Separation*, pp. 305–309.) We give one or two specimens:—

##### *Anti-Parnellites on Parnellites.*

*Mr. W. O'Brien, M.P., on Redmondism.*—Mr. Wm. O'Brien M.P., speaking at Galway Convention, said:—

"It is a remarkable fact that you will find the area of Redmondism is precisely coterminous with the area of riot. Red-



mondism and rowdyism are practically convertible terms. We know that wherever the Redmondites are in force there is no argument except the bludgeon and the paving-stone."—*National Press*, 18th December 1891.

Mr. M. J. Kenny, M.P., at the Tullamore convention, further said :—

"He ventured to think that human baseness had touched the bottom at last, and that it had touched the bottom in the person of Mr. Timothy Harrington."—*National Press*, 13th November 1891.

#### *Parnellites on Anti-Parnellites.*

*Mr. P. Mahony, M.P., on the Anti-Parnellites.*—Mr. Pierce Mahony, M.P., at a National League meeting at Limerick, said :—

"The Leaders asked them to shake hands over the grave of the dead chief ; well, he could say for himself he would rather be dead, he would rather be in his coffin. He would never have anything to do with that wretched cowardly crew again."—*United Ireland*, 14th November 1891.

*Mr. T. Harrington, M.P., on Mr. T. P. O'Connor, M.P.*—Mr. Harrington criticised T. P. O'Connor's speech in Glasgow, and said :—

"Mr. O'Connor's expression to him (Harrington) in Chicago was, 'My dear Harrington, don't you know if there are two bodies of men I hate most it is the Irish priests and English Radicals.'

"It was on the other side (M'Carthyite) were to be found every faddist, every self-seeker, every man who tried to lead a faction of his own. In everything constituting a party, however, they were a veritable house of cats."—*Freeman's Journal*, 18th November 1891.

#### *Nationalist Electioneering.*

"*The Fight at Carrick-on-Shannon.*—The Parnellites having got the better of the encounter, and having put the others to flight, returned once more to the platform cheering, and were next engaged in endeavouring to pull a couple of Nationalists off the steps of the platform, which, however, they failed to accomplish. Another row was going on on the off-side of the street at this moment, and immediately afterwards District-Inspector Rogers brought on the scene some thirty or forty police. They proceeded at once to endeavour to put a stop to the disturbance. They also held possession of the ground in front of the platform, and the priests on the platform began to despair of holding a meeting. Some of the priests went down among the people and endeavoured to reason the matter with them, but they would listen to no argument. One priest, it was stated, got struck. One old man, who gave vent to an anti-Parnellite



sentiment, was beaten to the ground and kicked while on the ground, and a second old man also rushed at him with a stick and struck him straight in the face and on the head, with the result that he staggered off, bleeding profusely from the forehead. A third old man was knocked down, but he gallantly faced the Parnellite body with squared fists. Another man endeavoured to protect him, but he got a terrific blow of an ashplant across the nose and forehead, and had it not been for the police it would have fared exceedingly bad with him. The police arrested one of the ringleaders, whom they caught in the act of striking at a man, but they almost immediately let him go again. The behaviour of the Parnellite section continued to be most violent, and several attacks were made on individual Nationalists with more or less serious results. The police next surrounded the wielder of the huge blackthorn stick above referred to, but, after holding him in custody a few moments, let him go again. Shortly afterwards a man named Hunt was set upon by the Parnellites at the foot of the platform, and felled to the ground by the blow of a stick. While on the ground he was dealt another fearful blow on the head, which broke through his hat and made an ugly scalp wound all along his bald head. . . . A number of the persons injured during the day are suffering greatly, many having very severe scalp wounds, and other fractures of the arms."—*The Nation*, February 28, 1891.

### *Nationalist Administration.*

Numerous examples of the corruption and malversation of Nationalist public bodies in Ireland are given in the publications of the Loyal and Patriotic Union. We give the most conspicuous case, that of the Corporation of Dublin. The following statement was published in 1888:—

### *The Corporation of Dublin.*

"Harsh as may be the criticism passed upon the administration of Boards of Guardians in Ireland, the judgment which applies to the working of the Corporation of Dublin must be even harsher and stronger still. The jobbery or extravagance of the former may be excused to some degree by the plea of want of experience, or lack of educational advantages; but such a defence in regard to the Dublin Corporation would only be considered by that body as derogatory, seeing that the Dublin Municipal Council is representative of all that is best in the Parnellite<sup>1</sup> party.

"It was in the year 1881 that the Dublin Corporation first became truly Parnellite in its methods and manners. Previous to that year an understanding had existed between the Liberal and Conservative members, whereby each party obtained representation in the Chief Magistracy every alternate year. In 1881, however, the good old

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<sup>1</sup> At this date it is to be noted "Parnellite" meant simply "Nationalist," as the split had not occurred in the Nationalist party.

rule was departed from, and Mr. Charles Dawson, then a Parnellite member of Parliament, and the manager of a Dublin bakery, was elected to the mayoralty chair.

"The election of Mr. Dawson was the beginning of the new régime. The salary of £2000 a year, which had hitherto sufficed for Unionist holders of the office, was found quite too small for men of Mr. Dawson's politics and position, and so the ratepayers were mulct to the tune of another thousand, making the salary £3000! To compare the action of most of our large towns in this respect, London, out of a city estate of £170,000, pays £10,000 to its Lord Mayor, who spends at least £15,000 on shows, banquets, &c. In Edinburgh, where the city estate and market revenue produces £25,000 annually, the Lord Provost receives the modest salary of £500 a year. In Bristol the Mayor gets £700 a year, out of a rental of £22,000. In Birmingham, Manchester, and Belfast, and most other cities, the Mayor is unsalaried. But in Dublin, where the rental (less losses on markets) is only £20,000 a year, a Lord Mayor who spends nothing on either shows or banquets receives a salary of £3000 a year. With the increase in the Lord Mayor's salary came other enlargements of wages paid. In former days £200 per year had been considered an ample indemnification for the money spent on entertainments during the year, but £1500 has now to be paid to the Nationalist Lord Mayors on this account. The salary of the Mace Bearer was also raised from £100 to £200 a year.

"In fine, the office of Lord Mayor and its accessories, which, after deduction of the fee so lodged by the City Marshal and Sword-bearer, used to cost the ratepayers £1430 a year, cannot now be fulfilled at a lesser average annual charge than £5000. This stands out in marked contrast to the condition of affairs in Belfast. The cost of supporting the civic dignity where the corporation is Unionist only amounts to £160 a year, the Mayor rendering his services without any salary whatever.

"It is not only in the cost of government that the Parnellite mismanagement shows itself. There might be some justification if inferior offices were filled with some regard for individual fitness, and not solely on political considerations—but this is not the rule. In 1886, the office of Superintendent of Cleansing for the City of Dublin fell vacant. The salary began at £350, rising to £500 per annum. There were several candidates in the field, amongst them being the Superintendent of Cleansing at Greenock, who had first-rate testimonials, and an experience in the business of eighteen years' standing, but attracted to Dublin by the prospect of a larger salary; and the Deputy-Inspector of Glasgow, who was moved by the same inducement. These two candidates received only three votes each, whilst the candidate chosen brought testimonials from Mr. William O'Brien, M.P. He had no previous experience of such an office, having been a canvasser for advertisements for *United Ireland*. It was not long before his capacity was fully tested. In 1885 the sale of manure and other refuse in the streets brought in £1460; in 1886, under the lately-appointed officer, it only realised £1070, showing a loss of

about £400 in one year in that respect alone. In 1887 the receipts were still lower. It is needless to add that the unswept condition of the streets fully accounts for this depreciation.

“Wherever an office falls vacant a supporter of the Parnellite party is the most favoured candidate. Thus, the collector of tolls is the editor of one of the journals belonging to the *Freeman's Journal* Company. This political spirit manifested in such appointments permeates every administrative act of the Corporation. The leader of the Irish Parliamentary party was indeed the first to benefit by the patriotism of the Corporation, which enables him to supply an inferior class of paving stones for the city at a higher price than they could be purchased elsewhere.

“Mr. Parnell having opened quarries at Arklow for the purpose of supplying stones as a contractor, has, since 1881, had the contract for paving sets in the city of Dublin, and now obtains at the rate of 24s. 6d. a ton for his stones. This would not be a very unfair price if the stones were of good quality. The Welsh quarries charge at the rate of 22s. a ton, which is the average price for the best class of stones. Mr. Parnell's stones belong, however, to the class known as ‘random sets.’ They are of every shape, not clean dressed, and cannot be got to fit close. Stones of the same quality can be procured from the Welsh quarries at 19s. or 20s. a ton. It may be added that the higher price is by no means so great an evil as the inferior nature of the work, which is not durable, and has to be frequently renewed. The officials of the Corporation are, moreover, bound to accept whatever stones Mr. Parnell sends them.

“It is hardly necessary to add that Dublin rates are high under this system. The city rates, which in Belfast vary between 4s. 11d. on the lowest, and 6s. 10d. on the highest class of property, are 8s. 3d. on one side, and 9s. 3d. on the other side of Dublin.

“The Dublin Corporation is composed of sixty members, Mr. Thomas Sexton, M.P., being Lord Mayor. Out of the sixty members five are loyalists and fifty-five are Parnellites. Of the fifty-five, five are M.P.'s and four are ex-M.P.'s.

#### *Nationalist Leaders under Police Protection.*

With regard to the proposal to abolish Imperial control of the police, the following item of information speaks for itself:—

“The fact that Messrs. T. M. Healy, John Dillon, and William O'Brien have applied for and received police protection in Ireland was attested officially by Lord Cadogan in the House of Lords on February 11, 1892, in these terms: ‘My noble friend (Lord Londonderry) is quite aware that every subject of Her Majesty has a right to police protection for his person and property whenever such protection is found to be necessary, and certainly with reference to the three persons alluded to by my noble friend that right has been conceded to them in the same manner as it would be conceded to any other of Her Majesty's subjects.’—*Handy Notes*, March 1892.

## V. CLERICAL INTIMIDATION.

*The South Meath Election.*

The events of the late General Election have proved to demonstration how great a force the priest still is in Irish politics. Take for example the South Meath case, in which Mr. Fulham, the Clerical candidate, was unseated on petition. The trial of the petition, which took place at Trim, November 16 to 30, 1892, brought to light an amazing story of priestly coercion and intimidation. Dr. Nulty, Bishop of Meath, issued a pastoral letter in which occurred such passages as this:—"The dying Parnellite himself will hardly dare to face the justice of his Master till he has been prepared and anointed by us for the awful struggle, and for the terrible judgment that will immediately follow it." The Bishop was supported by his priests; congregations were bullied from the altar; Anti-Clerical voters were threatened with deprivation of the Sacraments and with perdition in the next world; the confessional itself was used as a means of canvassing.

Here are some specimens of the evidence given at the trial of the petition, extracted from verbatim report of the *Irish Daily Independent* :—

"Michael Brien stated that in Summerhill Chapel Father Buchanan during mass read an extract from the *Independent* to the effect that a man could vote according to his conscience, no matter what the Bishop said, and said that was Protestantism pure and simple. Father Fay, P.P., said, he would never forget it to those who voted against the priests.

"Thomas Darby stated that he told Father M'Donnell that he should vote for Dalton, and the priest said he would go to hell.

"John Murtagh, who appeared in the witness-box with a bandaged hand, stated that he went to Father Fagan in Kildalkey to ask him to attend a sick woman at his house. The priest asked him had he a vote, and witness said he did not know until he looked after it. Father Fagan then asked him if he had a vote, to whom would he give it. He also said that Parnell was a blackguard, and ridiculed him. The witness said they knew now who were their friends and who were their enemies, and the priest then said, 'May the landlords come and hunt you all to hell's blazes out of the country.' The witness said, 'You are kind to your neighbours.' Father Fagan told him he was a blackguard and a ruffian, and that he would kick him into the ditch. 'I told him,' said witness, 'that I would kick him like a dog if he raised his arm to me.' Father Fagan called him a ruffian, and said that the witness would want him on the Last Day, adding, 'I won't hear the woman's confession.' The witness replied, 'I don't care whether you do or not; I will go

to Father Martin, the parish priest.' The witness walked away. His wife was then dead.

"Michael Murtagh deponed to having been present when Father M'Donnell canvassed a man named Darby, to whom he said, 'Are you a Catholic, or do you want to go to hell?' Father M'Donnell then canvassed witness, who replied that he would vote for Mr. Dalton. Thereupon Father M'Donnell said, 'You seem to be as satisfied to go to the devil as to go to God,' to which witness at once replied that, no matter where he went, Mr. Dalton would get his vote.

"Michael Lowry and William Shelly deponed to having been canvassed in the confessional. Father Behan told Shelly to vote for Mr. Fulham, and that he might shout for Dalton in the streets if he liked."

As usual, Nationalist "moral suasion" leads to crime.

"Patrick Fagan gave evidence as to his cowshed and some harness being burnt on July 15.

"An old man named Edward Weir stated that on the 29th of June he was at mass in Castle Jordan, when Father O'Connell, C.C., after the first gospel, told the congregation that there was to be a federation meeting at Clonard. He added that there was a 'clique of Parnellism' there who wanted to bully the priests; that he would make things hot for them; that he would attack them at the communion-rails, and meet them in the bye-ways and highways, and put fire to their heels and toes. He also said that they were not Catholics at all. On the day of the polling there was considerable violence at the polling-booths. On the previous evening a portion of the witness's place was burnt by a crowd, and the witness said to them that he did not wonder at it, after the advice they got on Sunday from the altar. They said that they would burn him and his son, who endeavoured to put out the fire; and one of the crowd endeavoured to strike him with a pole."

## VI. "THE UNION OF HEARTS" UP TO DATE.

The following extract from the *Daily Irish Independent*, the official Parnellite organ, of December 27, 1893, throws a curious light on the "Union of Hearts" effected by Mr. Gladstone's schemes:—

"The people of Ireland are obliged to submit to robbery because their fellow-slaves of Great Britain are ready to help the robbers who oppress them. We bow to *force majeure*, but the 30,000,000 of British slaves bow down and obey only their own cowardice and baseness. There is no outside power to coerce them. They are plundered slaves, because they have not the intelligence or the manhood to revolt against the power of 600 land thieves and law thieves who are called the House of Lords. This assembly of all the vices, of all the grasping interests, of the robbery of the poor, and the

stealers of the national lands, the thieves of national rent—these 600 insolent robbers are the masters of 30,000,000 of base and cowardly British slaves, who call themselves free men, without a shadow of real power; these 600 jockeys, lawyers, and idiots sit on the necks of 30,000,000 of silly and cowardly British voters, who have the stupid effrontery to call themselves freemen. . . .

“The English are a nation of snobs, and it is therefore impossible to predict what their political action may be. When men try to forget the race to which they belong, when the Saxon slave tries to pose as a descendant of the conqueror of Hastings, there is no longer any clear indication as to what may be the policy of such a race. . . . Ireland is now the backbone of the ‘Celtic fringe,’ and in the future is destined to play a decisive part in the control of the empire, or, failing that, a decisive part in its dissolution.”

## VII. AN APPEAL TO SCOTSMEN.

The following appeal by Scotsmen resident in Ireland to their brethren in Scotland was issued on April 20, 1893:—

“FELLOW-COUNTRYMEN,—We address you in the name and on behalf of Scotch people resident in Ireland on the question of the proposed Home Rule Bill. Our anxiety as to the future impels us to appeal to you for assistance to avert the dangers which threaten the welfare of this country should this most unnecessary Bill become law. During former years we gave all the assistance in our power in promoting the great Liberal measures dealing with the affairs of this country. The success of this proves the competence of our Imperial Parliament to deal justly and generously with Ireland. While the present measure is powerful in evil, it is utterly incapable of conferring any real good, and if made law it will entirely destroy the manufactures and industries of this country. The artisans and labourers will consequently flood the labour markets of England and Scotland, and entail upon yourselves many evils by increasing the body of unemployed in your midst. The present non-sectarian character of education will be overthrown, and the existing religious equality destroyed. It will be possible under the Bill to make alterations in the existing system of education as sectarian and retrograde in their character as those which even Mr. Morley refused to sanction when recently proposed by the National Board of Education. Such changes, however, would be immediately enforced by an Irish Parliament, the members of which would hold their seats by the will of the priesthood.

“Fellow-countrymen, you assisted Mr. Gladstone to strike down one ascendancy, will you assist him to erect another and more odious form of religious inequality? Your own past history records a long struggle for liberty and freedom of conscience. Will you now imperil our freedom by erecting a Parliament in Dublin which would be but the echo of priestly rule? Under precisely the same



laws the province of Ulster has prospered, her industries and commerce have advanced beyond a parallel, while the Nationalist provinces have declined, and their industries have been almost extinguished. Is this the fault of the laws? No; the success of Ulster is due to an industrious and law-abiding population, who heed not the political agitator and mercenary politician who thrives upon the desolation he produces. We who are resident in Ireland, coming in daily contact with all classes, are able from personal experience to warn you of the dangers which this Bill will bring upon Ireland. We therefore appeal to you with confidence not to permit the perpetration of the great national crime of surrendering to the forces of disorder every interest in Ireland which can conduce to the prosperity and happiness of her people.

"Fellow-countrymen, it is a delusion to suppose that this measure will be a final settlement of the Irish question. The leaders of both sections of the Nationalist party accept it simply as an instalment, which will enable them to extort further concessions. They have declared that 'one generation cannot bind another generation,' and that 'they speak only for the present.' 'Ireland a nation' is the aim and object of the Nationalists. Will you, who have done so much to build up the material prosperity of the Empire, be deluded into supporting the measure which strikes at the foundation of our Imperial unity? This measure will not, and never can be, accepted by the Loyalists of Ireland. They can only be coerced. Will you support a policy of coercion, applied to men who are determined, at all hazards, to maintain their civil and religious liberty under the protection of the Imperial Parliament?

"Fellow-countrymen, we solemnly appeal to you on behalf of your own kith and kin who, by their industry and integrity, have so materially assisted to build up the prosperity of the province of Ulster, to avert the dangers which we firmly believe must follow the imposition of such an unjust measure. Will you belie your own glorious past, and prove recreant to those principles which have placed the Scottish people in the van of human progress? Will you perpetrate the foul wrong of deserting your brethren, whose only fault has been their allegiance to those principles of truth and justice which have made the British Empire the home of freemen and the protector of the oppressed? We cannot believe it of our brother Scots.

"Issued by authority of the Belfast Scottish Unionist Club,  
"GEORGE S. CLARK, *President*."

#### USEFUL BOOKS.

*England's Case against Home Rule.* By Professor Dicey. (Murray.)

*The Speaker's Handbook on the Irish Question.* (Liberal Unionist Association.)

*As It Was Said.* (Irish Unionist Alliance.)



All pamphlets, leaflets, &c., published by the Liberal Unionist Association and the Unionist Alliance.

*Report of the Special Commission.* Issued by the Queen's Printers, 9d. (Convenient editions are published by the Irish Unionist Alliance, and the publishers of the *Times*.)

*The Parnellite Split.* Reports reprinted from the *Times*. (*Times Office*.)

*The Story of the Parnell Crisis.* (*Pall Mall Gazette* "extra.")

*Home Rule.* Articles and letters reprinted from the *Times*. Two vols. (*Times Office*.)

*The Brief for the Government, 1886-92.* By W. H. Meredyth. (Blackwood.)

*The Annual Register* for 1886 for synopsis of the discussions on Mr. Gladstone's Bills of that year.

*Ireland under the Land League.* By Clifford Lloyd. (Blackwood, 1892.)

*Twenty-five Years in the Secret Service.* By Major Henri Le Caron (Heinemann, 1892), for information as to Irish-American conspiracy.

Sir E. Ashmead Bartlett's *Union or Separation, 1893.* (National Union.) Contains a valuable collection of facts and figures.

It will be understood that the above list only refers to handy popular works suitable for election purposes. The *Speaker's Handbook* is specially recommended. In it will be found a further list of books of reference. For current information, see *Handy Notes on Current Politics* (monthly, 1d.), and *National Union Gleanings* (monthly, 6d.). The latter contains notices of all important speeches, magazine articles, &c.

PART III.  
GLADSTONIAN GOVERNMENT, 1892-94.

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CHAPTER XIV.

**MR. GLADSTONE'S GOVERNMENT.—FOREIGN POLICY,  
1892-93.**

THE accession to office of Mr. Gladstone in August 1892 was regarded with grave fears by all interested in the relations of our country abroad. The public apprehension was great when it was reported that Lord Rosebery had declined the Foreign Secretaryship, and the relief among practical and patriotic statesmen, and the rage among Radicals of Mr. Labouchere's type, were intense when it became certain that he was again to preside over the Foreign Office. It was felt that next to having a Unionist Government in power, loyally supported on foreign questions by a powerful party, the next best thing was to have a capable minister of Imperial instincts in charge of foreign affairs, able to hold his own with colleagues of "scuttling" propensities, and with his hands strengthened by the knowledge that the Opposition in the House of Commons was governed by principles of patriotic restraint in their attitude to foreign affairs. It has as yet generally been the duty of the Unionists to give Lord Rosebery credit for dealing firmly and wisely with the difficulties that have arisen, to strengthen his hands on critical occasions when he was believed to be confronted by the "Little Englanders" in the Cabinet, and to support the Government where it had acted well against the diatribes of some of its own followers. At the same time illustration has been afforded of how surely the accession to power of a Government of Gladstonians is followed by foreign difficulties, and exhibits the embarrassing influences of reckless conduct in opposition.

ASIA.

*Russia and Afghanistan—the Pamirs.*—No sooner had the change of Government taken place than there were reports of renewed Russian activity in Central Asia, and of expeditions in the Pamirs that recalled the complications of Penjdeh in 1885. The difficulties there were for the time being tided over, British influence has been extended over some of the mountain terri-

tories beyond the borders of India and Kashmir, and in 1893 the Indian Government sent an important mission to the Ameer of Afghanistan, which met with a cordial reception at Cabul, and is understood to have confirmed our relations with that potentate on a satisfactory footing.

*France and Siam.*—The great change which the events of the last ten years have made in the problems which confront us in Asia is nowhere more marked than in the far East. If on the north-western confines of India the three great empires of Britain, Russia, and China are now practically conterminous, we are face to face on the other side of our Indian possessions with a similar state of things, the three great powers now in juxtaposition being Britain, France, and China. Siam occupies a similar position to Afghanistan, but with the difference that it has already been forced to part with what has been described as a moiety of its territory to France. During the last quarter of a century France with chequered fortunes has been consolidating and extending her position on the eastern side of the Indo-Chinese peninsula, bringing under her influence Cochin China, Cambodia, Annam, and Tonkin. The great river of that peninsula, the Mekong, flowed south, far to the westward of the French protectorate. Rising in China, and taking a bend far to the west through the Shan States, which border upon and are more or less dependant on Burmah and Siam, and almost encircling the state of Luang Prabang, tributary to Siam, it then flows almost directly south. Its course lay through territory coloured on French maps as Siamese, governed by Siam, and inhabited by people of Siamese race. Yet in face of their own maps the French, putting forward shadowy historical claims based on their protectorate of Annam, pushed forward expeditions into Siamese territory east of the Mekong, and when these were repulsed by the Siamese authorities, took violent measures against the Government of Siam. In July 1893 they moved their fleet to Bangkok, seized certain islands in the Gulf of Siam, forced the passage at the mouth of the Menam with gunboats, and intimated a blockade of the Siamese ports. On August 1, Lord Rosebery confirmed the reports that Siam had accepted two different sets of terms, contained in *ultimata* insisted on by the French. By the first, Siam surrendered her rights, and recognised those of Cambodia and Annam on the left bank of the Mekong and the islands, undertook to evacuate her posts there within one month, promised satisfaction for "various acts of aggression on French ships, sailors, and subjects," and was mulcted in substantial pecuniary indemnities. A sum of 3,000,000 f. in dollars was to be at once deposited, or, in default, the farming of the taxes of Siemrep and Battambang to be assigned to the French. Notwithstanding these exorbitant concessions, the French seem to have been ashamed of their

moderation, for in spite of their acceptance they at once formulated additional terms, which were also yielded. These were that the French were to occupy the port and river of Chantaboon pending the evacuation by Siam of the left bank of the Mekong; that no Siamese troops were to be allowed within 25 kilometres of the Mekong; that Siam was not to have any armed vessels on the Toulé Sap lake, and the French were to have right to establish consulates at Nam and Korat. The character of these terms indicates every intention of further aggression in future, and in fact, although the Siamese paid the indemnity, the French troops took possession of and have completed fortifications at Chantaboon. Lord Salisbury's pertinent query as to whether there was any precise definition of the left bank of the Mekong indicated their chief danger for the interests of Burmah and British trade with Southern China. Lord Rosebery also announced that an agreement had been signed in Paris which "provides for the establishment of a neutral zone or buffer territory between our territory in Indo-China and that recently taken by France."

The significance of this aggression may be measured by the facts that in 1892 British trade in Siam reached a value of over £2,500,000, while French was only £8000, that there were 250 French to 13,500 British subjects in the country, and that British shipping represented 87 per cent., German 7 per cent., and French 1.25 per cent., of the whole.

On 31st July 1893 a protocol was signed at Paris by which, "with a view of obviating the difficulties which might arise from a direct contact between them, the two Powers agreed to recognise the necessity of constituting by means of mutual sacrifices and concessions, a neutral zone between their possessions."

On 25th November a further protocol and agreement were signed providing for an inquiry on the spot by technical agents in the region of the Upper Mekong, stating the breadth of the proposed neutral zone at about 80 superficial kilometres, and agreeing that the navigation, transit, and means of communication in the zone should be free from every impediment.

## AFRICA.

*Egypt.*—A striking illustration of "polemical language," followed by contradictory conduct, was soon afforded by affairs in Egypt. On 23rd January 1893 the country was startled by an official announcement in the newspapers that "Her Majesty's Government have determined to make a slight increase in the number of British troops stationed in Egypt. This decision has been arrived at in view of recent occurrences which threatened to disturb public security in that country." These occurrences were the dismissal by the young Khedive,

on 15th January, of his minister Mustapha Fehmy Pasha, and the appointment in his stead of Fakhry Pasha, an opponent of British influence and enemy of reform. The European officials had refused to recognise Fakhry, and the British representative had informed the Khedive that if the appointment were persisted in, he must be prepared to take the grave consequences of his act. The Khedive had yielded, and another appointment had been made, but the feeling displayed at Cairo recalled the days of Arabi's rebellion, and the situation was all the graver because the popular hero was the young Sovereign. The Foreign Minister deserves all credit for the manner in which he dealt with the crisis; but to what was the crisis due? It is acknowledged that French and Russian intrigues had much to do with it. There is no doubt that these found their opportunity in the existence of a Gladstone Government. That Government was welcomed by jealous Powers on the Continent as an evacuation Government. It was known to be supported by a party to a large extent actuated by the principles of "scuttle." Its head was known to be specially pledged to an evacuation policy, and on one important occasion to have made an utterance, which, however guarded by loopholes and hedged in with polemical caution, was yet—gratuitously volunteered, as it was, by a most responsible statesman—interpreted by all the canons of statesmanship, a distinct declaration for evacuation. At Newcastle, on 2nd October 1891, Mr. Gladstone had said:—

"I shall indeed rejoice if—before the day comes for the present Administration to give up the ghost—it be possible for Lord Salisbury to make an effort to relieve us from our burdensome and embarrassing occupation of Egypt. That occupation, so long as it lasts, rely upon it, must be a cause of weakness and a source of embarrassment. It is one which we owe entirely to engagements contracted by the former Tory Government, and *the escape from which*, I greatly fear, the present Tory Government, improved as it is in its foreign policy, will, notwithstanding, hand over to its successors to deal with."

Immediately after this speech was made, the accounts from Alexandria reported that it had created "a great sensation," and that "the old retrograde Turkish party is rejoicing at the prospect of the withdrawal of the army of occupation, and of their consequent reacquisition of power." Fakhry Pasha, selected in January 1893 by the Khedive, was a typical representative of the old retrograde Turkish party. There can be no doubt that either the hopes or the disappointments of the old Turkish party, stimulated by French and Russian intrigues, brought about the action of the Khedive, which, it was thought, Mr. Gladstone at all events would not resist.

Once more we see the Nemesis of "polemical language." The "embarrassment" is increased, and the "weakness"—according to Mr. Gladstone—is intensified. The burden of occupation is made still more burdensome, and the "escape" is put further off than ever.

Another startling incident occurred in January 1894. At a review at Wady Halfa the Khedive spoke so slightly of the army and the British officers that the commander-in-chief felt bound to tender his resignation. The Khedive was ultimately constrained to publish a general order, honourably acknowledging the services of the British officers and the efficiency of the army, and intimating the transfer of Maher Pasha, his Under-Secretary at War, who had inspired his utterances, to another sphere.

Internal reform and material prosperity in Egypt continue to make substantial progress under the protection of Great Britain.

*Uganda.*—While Lord Salisbury was in power the East African Company had found its resources unequal to the great task undertaken. In 1891 it had asked for assistance towards the railway which it was intended to construct from Mombasa to Lake Victoria Nyanza, and in July of that year the Government proposed to take a vote of £20,000 to defray the expenses of the preliminary survey. It was at a late period of the session when they had pledged themselves not to press contentious subjects. When the vote came near Sir Wm. Harcourt<sup>1</sup> declared that from a communication he had just had from Mr. Gladstone he assured the Government that "this measure is regarded as in the highest degree contentious." Having thus been made a party question, the vote could not be taken. When a similar grant was proposed in March 1892 it was resisted by the Opposition and divided against. In the minority of 126 there voted the following members of the present Government,—Sir Wm. Harcourt, Sir George Trevelyan, Mr. Marjoribanks, Mr. Bryce, and Mr. A. Morley; and the following other Scottish Gladstonian M.P.'s,—Messrs. Birrell, Bolton, Buchanan, Crawford, Dunn, Duff, Esslemont, Farquharson, Haldane, Seymour Keay, Sir John Kinloch, Leng, Lyell, Dr. Macdonald, M'Ewan, M'Lagan, Provand, Reid, Sutherland, Wallace, Shiress Will, and Wilson.

On 13th June 1892 the East African Company, finding that it was beyond their strength to maintain the position they had acquired in Uganda, resolved to evacuate the country. This was shortly before the dissolution, and Lord Salisbury left his successors unhampered in dealing with the situation. On 30th September a communication was addressed to the East African Company by the Government, in which it was stated

<sup>1</sup> July 20, 1891.



that "Her Majesty's Government adhere to the acceptance by their predecessors of the policy of evacuation," but would give a pecuniary contribution to enable the Company to prolong their occupation till 31st March following. This communication came after two Cabinet Councils held on succeeding days, and was recognised as betokening a victory of the "Little England" section of the Cabinet. The assertion that evacuation was the policy of the Unionist Government was incorrect and baseless, and was soon contradicted by Lord Salisbury. It was one thing for the Company and quite another thing for the country to evacuate, and "so far as the course of the Company depended upon the prospect of obtaining a grant of public money, it was clear that the question could not be definitely entertained by Parliament till the report of the railway survey had been sent home."

The action of the Government was generally felt to be a handing over of the country to savagery, an abnegation of the civilising mission we had taken up, a return to the policy of "scuttle" so disastrous previously, and another victory for the slave trade and barbarism in Africa. The widespread feeling soon found expression, and missionary societies, commercial bodies, and other organisations, spoke with no uncertain sound, Scotland particularly contributing to the volume of remonstrance. The agitation produced its effect; the tone of a speech delivered on October 20th by Lord Rosebery to a deputation from the British and Foreign Anti-Slavery Society, in which he spoke of Uganda as "a country of great possibilities, the key, perhaps, of Central Africa," was regarded as most significant, and ultimately, on 24th November, an official announcement was made that the Government had resolved not to interfere with the Company's evacuation, but at once to send a Commissioner with a sufficient native escort to report on the actual state of affairs in Uganda, and the best means of dealing with the country. This, while not absolutely decisive of future policy, was a complete change of attitude, and was hailed with general satisfaction, except among the extreme Radical supporters of the Government, by whom Lord Rosebery was denounced as "the Jingo watch-dog in the Cabinet." The Uganda incident, and the dangers so narrowly escaped, yield a fresh proof of the embarrassment which their action in opposition imposes on Radical ministers, and of the perils incurred by the national interests from the alternate influence in their councils of the "continuous foreign policy," and of the "peace at any price, and scuttle when you can" sections of their party. This has been curiously illustrated since by the attitude of different ministers during the debates in Parliament, and by Mr. Labouchere's protest on 21st March 1893, that the state-



ment of the Under Secretary for Foreign Affairs "amounted not only to an attack on the Radicals who took part in the debate, but also to an attack on the Prime Minister."

On 1st January 1893, Sir Gerald Portal, the Imperial Commissioner, started from Zanzibar for Uganda. He made a new settlement of the territorial and other questions at issue between the Protestant and Roman Catholic parties, and a rising of the Mohammedan party was quelled. On his return Captain Macdonald was left to represent British authority, and by the close of the year Sir Gerald Portal's report was in the hands of the Government. Their action may be simplified by the fact that, owing to the death of the Sultan, our authority over Zanzibar has been strengthened, and that Witu on the mainland has been placed directly under the protection of the Crown. The report has yet to be dealt with, but meanwhile men of all parties unite in lamenting that through the premature death of Sir Gerald Portal the Crown has lost one of its most distinguished servants, and the report upon which the Government must proceed in deciding the fate of that great territory will be read with peculiar interest, bearing as it does the impress of a vanished hand.

*Matabele-land.*—In Southern Africa a great menace to European colonisation and a standing scourge to the more peaceable native races has been removed. The growing civilisation of Mashona-land was threatened by the raids of the Matabele impis, and when the soldiers of a savage king raided our territory, and slaughtered Mashonas in the service of Europeans, it was clear that, as Dr. Jamieson, the administrator of Mashona-land, declared, "these acts make action imperative." The position taken up by the Government (August 1893) was that the responsibility for the maintenance of peace, law, and order in Mashona-land rested on the British South African Company, but that aggressive action by them would not be allowed without the previous sanction of the Government. The Company and Mr. Rhodes prepared for action; but the language of the Under Secretary, Mr. Buxton, who spoke of instituting crusades against the Matabele (September 6), and committed himself to the view "that the war—which would be a very serious one—would not take place" (September 9), was unfortunate, and out of sympathy with Colonial feeling in Africa. On 2nd October it was reported that the Matabele had fired upon the police, and Sir Henry Loch, the High Commissioner, being convinced that their intention was actively hostile, ordered Dr. Jamieson to take all steps necessary for protecting the interests, life, and liberty under his control. The troops of the Chartered Company entered Matabele-land in two columns from the east, formed a junction, and after fighting two actions, occupied

Buluwayo, where they were joined by the Bechuana-land Imperial force, which had also defeated the enemy. The close of the year saw Lobengula a fugitive, and large numbers of his subjects surrendering their arms and betaking themselves to peaceful pursuits. At home the usual spectacle was seen of Mr. Labouchere and a knot of Radicals retailing every cock-and-bull story to the discredit of their own countrymen, denouncing those who had been living for months under the terrible menace of clouds of savage warriors, accustomed to devastation, and unsparing in their cruelty, as "filibusterers," and doing all they could to worry their own Government and irritate South African opinion.

The problem of the settlement of Matabele-land is a grave one. Events there and in Uganda have raised the large question of the general policy of governing by Chartered Companies. It is for the Government to frankly and generously recognise their services and the legitimate desires of those who live upon the spot, and, at the same time, to firmly and temperately assert the ultimate authority and controlling influence of the Imperial Government.

*Swazi-land.*—The action of the Government has not been satisfactory in regard to this part of Africa.

There may have been reasons for treating the independence of the Swazis as a counter in the large game of South African politics, but it is not consonant with high ideas of the obligations of this country, or with experience as to the best interests of the natives, that that country should be handed over by the great British Empire to the protectorate of the South African Republic. By the Swazi-land Convention of 1893, Her Majesty's Government agreed that the Transvaal Government might enter into negotiations with the Swazi Queen-Regent and Council, with a view to obtaining "rights and powers of jurisdiction, protection, and administration over Swazi-land."

The conditions attached to recognition of any such arrangement were, that the Swazi Queen and Council should understand its nature and terms; that just provision should be made for the protection of the Swazis in the management of their own internal affairs according to their own laws and customs; that British subjects there should continue to enjoy their rights as burghers of the South African Republic; that every white male resident in the country before 20th April 1893, should also be entitled to the political privileges of a Transvaal burgher; and that customs duties on imports were not to be higher than the Transvaal tariff or that of the South African Customs Union.

The attitude of the Opposition towards the Government in regard to foreign affairs has been one of patriotic forbearance

and generous support. This was acknowledged by Sir Edward Grey in a speech at Alnwick on 19th October 1893, who said:—

“He was perfectly ready to admit that during the session just passed those on the Tory side who had spoken on foreign politics, either with knowledge or authority, had behaved towards the Government and its foreign policy in a way which was as creditable as that in which the Liberals behaved to them when they were in office. . . . He was sure the Government fully appreciated the consideration which had been shown them by those in authority in opposition.”

It is satisfactory to find that the lesson of the mischiefs which followed the unrestrained faction of the Bulgarian Atrocities Agitation, and the violent reversal of the Conservative foreign policy in 1880, has been learned, and it is reassuring to trace in Egypt, in Afghanistan, and in South Africa, the difference between the results of a partisan handling of foreign affairs, and those secured by continuing a national policy on the same general lines.

Never was there more need for restraint and patriotism among public men. The recuperation of France, the extraordinary manifestation of it in the increase of her naval strength, the naval expansion of Russia, and the alliance of these two enormous, aggressive powers, so effusively exhibited at Cronstadt, Paris, and Toulon, are facts which this country cannot disregard. Do such activity and such an alliance mean nothing for us? Are these ironclads built and manned against the central Continental Powers, or for the natural protection of a limited commerce? Are they not a waste of money if intended to influence a contest to be waged with Germany and Austria on the Vistula and the Rhine? Is it of no significance that they belong to the two great Powers whose frontiers now press us on the east and west in Asia? Is it not a fact of supreme importance that while we, with a mercantile marine of £122,000,000, spend on our navy under £18,500,000; France, with a mercantile marine of £10,100,000, spends considerably more than £10,500,000; and Russia, with a mercantile marine of £3,000,000, spends on her navy more than £5,000,000? At Cairo our interests conflict with those of France; at Constantinople, Teheran, and Cabul, they are in acute opposition to those of Russia. Alike for Germany, wedged in between the two, and for Great Britain, dependent for the life of her masses on free and open trade-routes across the sea, with possessions open to attack in every quarter of the globe, and provided in Asia, in Africa—both West and North, as has been lately seen—and even in Newfoundland, with occa-

sions for controversy with one or other of them, this strange alliance of democracy and despotism, of the great military powers of Eastern and Western Europe, possessing at the same time large empires in Asia and in Africa, constitutes the great peril of the closing years of the century. It has been the fortune of this country at the end of each century to be confronted with a struggle for existence. Three hundred years ago it vanquished the menacing power of Spain ; two hundred years ago it faced the might of the old French monarchy ; a century ago it entered on the long and victorious conflict with revolutionary and imperial France. If the nineteenth century is not to close without further establishing what appears to be a cycle in human affairs, the indications point pretty clearly to the quarters from which danger threatens. Never was a firm and cautious foreign policy more necessary ; never have a strong navy and an efficient defence been more essential.

any two other countries combined. It was in order to secure this result that Lord George Hamilton designed and carried out his great naval programme. That programme gave us undisputed supremacy for the time.<sup>1</sup> But it is obvious that no foresight can determine absolutely what the requirements of the future will be if this principle is adhered to. That must always depend upon what is done by foreign nations. If they do nothing, we can afford to let our dockyards lie almost idle for a time. If they double their fleets, then we must double ours. Shortly before the Unionist Government went out of office in 1892 there was an immense spurt in the naval preparations both of Russia and France. A number of new and very powerful ships were laid down. This was well known to the Admiralty; and whereas it had been resolved to lay down three new large ships as a supplement to what had been done under the naval programme then completed so far as the laying down of ships was concerned, it was resolved to increase the number to five. A change of Government took place in August 1892—the Gladstonians came into office, and promptly went to sleep.

The programme of the Unionist Government was to provide for a total of five large ships in the Estimates of 1892 and 1893. Three of these were provided for in the Estimates of 1892, and one had been commenced when the Unionist Government went out of office. The Gladstonians took no steps to lay down the other two of these three, and they dropped the two which ought to have been provided for in the Estimates of 1893 out of account altogether. It is true that their Estimates in 1893 contained two large ships, but these were two of the three ships which Parliament sanctioned in the previous year. More extraordinary still, no steps were taken to make progress with these ships, which up to December 1893 had not even been laid down.<sup>2</sup> During their first 16 months of office (August 1892 to December 1893) Mr. Gladstone's Government spent only about £80,000 on the three battleships ordered by their predecessors. They did not commence or order a single new battleship of their own. They spent in 1893–94 £1,475,000 less on new construction than Lord Salisbury's Government assigned for 1892–93. They have lost nearly two years of valuable time. Again it was proposed to expend a large sum upon two new large cruisers. One of these was dropped altogether, and with the other no progress had been made up to February 1894.

<sup>1</sup> Both Mr. Gladstone and Sir William Harcourt recently declared in the House of Commons that, in regard to ships actually complete, our navy is at present sufficient and efficient. This is due entirely to the Hamilton programme.

<sup>2</sup> On 12th January 1894, Sir U. K. Shuttleworth admitted that the keel of the *Majestic*, one of these ships, had not yet been laid down.

"We therefore begin next year with heavy liabilities and empty slips. For many years past the dockyards will not have been so devoid of new construction, for outside the Naval Defence Scheme, all the vessels of which are completed or completing, there will be but eight vessels building, of which number two are gunboats. Including contract work, we shall then have only four large ships building, three battleships and one first-class cruiser; but two of the four are only in the very preliminary stage of commencement. Contrasting our state with that of France and Russia, we shall have three battleships building against their twelve, one first-class cruiser against their seven."<sup>1</sup>

Notwithstanding the loss of the *Victoria* and the activity of France and Russia, our navy is at the present moment in the matter of battleships fully up to the required standard of being equal or superior to the combined navies of any two other countries; but in naval construction it is necessary to look ahead, and to inquire not merely what is at present the relative strength of the navy, but also what will be the relative strength of the navy in two or three years. This necessity is imposed by the fact that battleships take several years to build. They cannot be created in an emergency. Let foreign nations get a good start in their preparations, and we cannot overtake them. The gravity of the situation in this regard may best be gathered from two quotations from the highest experts in the matter of naval preparation. In the House of Commons, upon 19th December 1893, Lord George Hamilton said:—

"At the commencement of the next financial year France will have building six battleships, and three more will be commenced in that year, making a total of nine, with a displacement of 106,000 tons. Russia will have six battleships building, and two will be commenced in that year, making a total of eight, with a displacement of 90,000 tons. The total for the two nations is seventeen battleships, with a displacement of 196,000 tons. England at that time will have building three ships, with a displacement of 42,000 tons, and two of these have only been commenced within the last fortnight. England has no coast defence vessels, while Russia and France have four, with a displacement of 24,000 tons. As to the first-class cruisers, France has five building, and Russia has two, the total displacement of the seven being 53,000 tons. England will have only one, with a displacement of 14,000 tons, and that vessel has not yet been begun. Summing up the totals, the two nations referred to will have at the commencement of next financial year twenty-eight ships in various stages of construction, with a displacement of 270,000 tons, and England will have four, with a displacement of 56,000 tons. These figures

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<sup>1</sup> Lord George Hamilton, in the *National Review*, December 1893.



tell their tale, but when they are examined, the results are even more serious than the impression they convey at first. At the commencement of the next financial year, including every single battleship on the effective lists—vessels nearly thirty years old—and every battleship included under the Naval Defence Act, the total number Britain will have is forty-six, with a displacement of 440,000 tons. So enormous is the programme between France and Russia, that in the course of the next year those two countries will have no less than twenty-one armoured ships in various stages of building, with a displacement of 217,000 tons. In other words, France and Russia in the course of next year will have in their dockyards a tonnage of new armoured ships building equal to half the total number of battleships available for the navy of Great Britain. That statement seems to me to be one of a most serious character. I have made a careful calculation of the total number of ships which in the next three years will be added to the navies of France and Russia, and I calculate that at least thirteen ships, with a displacement of 135,000 tons, will be added during that period to these two navies, and let Britain do what she likes, I do not believe it to be possible that her own ships can be completed before the close of 1896. It is the opinion of naval experts that if Britain wishes to remain equal to the combined forces of France and Russia, it will be necessary for her to build nineteen battleships in two years in order to be on those terms in 1896. Britain has got into its present position through inactivity, whilst the activity of France and Russia has been marvellous.”

In this debate Lord George Hamilton quoted the opinion of Mr. Tracy, who was for some years secretary of the United States navy. Mr. Gladstone questioned Mr. Tracy's authority and accuracy, and to this on the following day Mr. Tracy replied:—

“NEW YORK, *December 20, 1893.*

“If Mr. Gladstone will study the condition of the French and English navies, he will learn, if not already aware of the fact, that I was right in my statement quoted by Lord George Hamilton, that two years hence France and Russia combined would have fifty modern battleships, with a displacement of 450,000 tons, against thirty-one vessels in the British navy, of 334,000 tons' displacement. Now Mr. Gladstone can figure for himself if England's thirty-one are superior to fifty. I differ from him in his assertion that the material of the British navy is superior to that of France and Russia. I believe that the French battleships are superior to the English, both as regards guns and armour.”

A comparison of the number of ships actually built or projected as at 20th December last yielded the following result:—



	Great Britain.	France and Russia.
Ironclads . . . . .	60	70
Cruisers . . . . .	125	79
Torpedo boats . . . . .	186	395
	<hr/> 371	<hr/> 544

It will be observed that in cruisers alone have we the superiority, and the number even of British cruisers is incomparably less in proportion to the amount of commerce, and the number of stations which they would be called upon to defend in all parts of the globe. We need three cruisers to the enemy's one. Sir Charles Dilke said in the same debate in the House of Commons to which reference has been made:—

“Naval experts are agreed that we must have a supremacy of five to three in battleships. I am bound to say that as matters stand, we have the elements of a national catastrophe.”

The charge against the Government is not that the navy is at present inadequate, but that through their supineness and their indifference to what was going on abroad, it can hardly but be inadequate in 1896, and that it was not until the country was roused by Unionist agitation that the Government recognised the necessity of doing anything at all. The responsibility for this rests probably, not so much with Lord Spencer as with Mr. Gladstone, who cares for nothing but Home Rule, and Sir William Harcourt, who cares for nobody but himself. Even so late as 19th December, Sir William Harcourt was found declaring in the House of Commons that there was no cause for uneasiness, and no urgency to do anything. It is understood that this attitude so dissatisfied Lord Spencer that Mr. Gladstone had before him the alternatives of requiring Sir William Harcourt to retract, or of accepting Lord Spencer's resignation. He chose the former course.

The following table, compiled by one of the most competent experts,<sup>1</sup> after full and careful inquiry, shows how the matter stands as regards battleships; and, it must be remembered that on battleships our command of the home seas depends:—

#### BATTLESHIPS.

##### *Grand Total of Battleships.*

		Ready.	Building.	To be laid down in 1894.		Totals.
England	{ 1st Class	16	3	not known	19	39
	{ 2nd Class	20	none	„	20	
France	{ 1st Class	10	5	4	19	39
	{ 2nd Class	18	2	none	20	
Russia	{ 1st Class	6	4	1	11	19
	{ 2nd Class	5	1	2	8	

<sup>1</sup> *N. U. Leaflet*, No. 199.

. That is, by the end of 1897 France and Russia will have 58 battleships against 39 British, unless we have a new Naval Programme at once.

The following tables are compiled from materials collected by the same authority :—

	Annual Value of Commerce.	Tonnage and Value of Merchant Shipping.	Area and Popula- tion of Colonies and Depen- dencies.	Naval Expenditure, 1893-94.	Expenditure on Naval Shipbuild- ing, 1893-94.
	£			£	£
Britain	970,000,000	{ T. 12,488,000 £122,000,000	{ A. 11,350,000 P. 540,000,000	15,267,000	2,936,000 <sup>1</sup>
France	277,000,000	{ T. 1,057,000 £10,100,000	{ A. 3,064,000 P. 30,520,000	10,694,000	3,060,000
Russia	55,000,000	{ T. 481,000 £3,000,000	{ ...	5,040,000	2,952,000

It will be seen from the foregoing table how much commerce the British navy has to defend in comparison with those of France and Russia. It appears, too, that for the first time in history both France and Russia are spending more than Britain in building new war ships. Between them they are spending more than double as much as Britain. Our naval supremacy cannot last long under such conditions.

It appears that, estimating the expenditure on the British navy at £15,500,000, we are only spending 1.6 per cent. on the value of our sea-borne commerce by way of naval assurance, and 12.7 per cent. on the value of our mercantile marine. Taking the French naval expenditure at £10,964,000, the French are spending 3.9 per cent. in proportion to their sea-borne commerce, and over 105 per cent. in proportion to the value of their mercantile marine. Taking the Russian naval expenditure at £5,040,000, Russia is spending over 9 per cent. in proportion to her seaborne commerce, and 166 per cent. in proportion to the value of her mercantile marine. That is, France is spending on her navy  $2\frac{1}{2}$  times as much in proportion to her sea-borne commerce as we are spending, and Russia is spending six times as much in the same proportion as we are spending. In proportion to the value of her mercantile marine France is spending eight times, and Russia thirteen times, as much as we are spending.

In proportion to the population of their respective colonies and dependencies, England is spending on her navy £4.5 per hundred subjects; France is spending on her navy £31.4 per hundred. France is, in this proportion, spending seven times as much as we are spending. Russia has really no colonies and dependencies requiring naval protection. In whatever

<sup>1</sup> Of this £1,919,927 is under the Naval Defence Act.

aspect, therefore, naval expenditure be regarded, France and Russia are spending far more than England is spending.

Large as is the amount which our navy costs, that amount is small considered as an insurance upon the commerce which our navy protects, and trifling in comparison with the insurance which France and Russia are prepared to pay. If our nation is to continue in the future, as it has been for two centuries, undisputed mistress of the seas, and if the imminent danger of national ruin is to be averted from our shores, it is necessary (1) that a large increase in our naval expenditure should be ungrudgingly sanctioned by Parliament and the country, and (2) that ministers who have shown themselves indifferent to our naval supremacy, and have recklessly hazarded the security of our homes and the very existence of our Empire, should be removed from power.

## CHAPTER XVI.

### FINANCE OF THE GLADSTONIAN GOVERNMENT.<sup>1</sup>

IF there was one thing which, according to the Liberal tradition of fifteen years ago, the Liberal party possessed which was denied to the benighted Tories, it was the key to successful finance. The tradition was not an unreasonable one. From 1850 to 1874 the Conservative party had never been in office with a majority in the House of Commons. They had accordingly had no opportunity of dealing in a comprehensive manner with the National finances. On the other hand, the Liberal party had been almost continuously in power, and periods of great financial elasticity and commercial prosperity had enabled Mr. Gladstone to make great readjustments in National taxation, and to crown successive years with "surplus" Budgets. The two great "booms" of the century, it may be noted, occurred within this period, the one which followed the opening up of the country by railways and the discovery of gold in Australia, and the other remarkable one which succeeded the Franco-German war. On the other hand, when the Conservatives at last obtained office with a majority in 1874, things were already just upon the turn towards the down-grade, which continued slowly until, in 1878, the failure of the City of Glasgow Bank and the events which followed it shattered for the time the commercial stability of the country. There were troubles, too, abroad between 1876 and 1880, which necessitated large expenditure in naval and military preparations. Deficits took the place of the annual surpluses to which the country had become accustomed. Liberals lifted up their voices in righteous denunciation, and "Tory finance" was one of the objects of fiercest attack and ridicule during the first Midlothian Campaign. The experience of his 1880-86 administration, however, taught Mr. Gladstone a lesson. A surplus of £933,364, with which, thanks to a readjustment of the malt duty, he was able to begin in 1880-81, became a deficit of £8,642,543<sup>2</sup> in 1885-86. The experience of the Conservative Government of

<sup>1</sup> Unionist finance, as contrasted with the finance of the previous Gladstonian Government, is dealt with in Chapter X., and the subject of taxation generally in Chapter XXIII.

<sup>2</sup> Including £6,000,000 secured by the suspension of the Sinking Fund.

1886-92 taught him another lesson, for during these six years there was always an annual surplus, the aggregate of which amounted to £11,997,814. A monopoly of successful finance could no longer be claimed for the Liberal party.

Mr. Gladstone returned to power in 1892, and for the first year, during a part of which he was in office, the revenue just balanced the expenditure, the actual sum to the good at the end of the year being £20,000, which, as Sir William Harcourt very justly remarked, was "a pretty tight fit." But when provision came to be made for the following year, there was no question of surplus. The cloven foot of a deficit appeared. When the accounts were cast up, Sir William Harcourt found that he was called upon to meet an estimated deficit of £1,574,000. The expedient adopted to find the necessary money was a simple one. In the previous year it had been strongly urged that the income taxpayer was entitled to a remission of one penny, and it was with some reluctance that the Unionist Government had refused this concession. Sir William Harcourt, however, had no scruple in substituting for the contemplated remission of one penny an increase of one penny. Such an increase is of vastly more significance now than it was twenty years ago. It used always to be easy to lower the income tax whenever there was a surplus available, for such a reduction was popular with a large body of the electorate. Now, under the electoral control of non-income taxpayers nothing is more difficult than to effect a reduction of this tax, and income taxpayers have some reason to fear lest every penny added should be a permanent burden. When Mr. Gladstone appealed to the country in 1874, political power was largely in the hands of the payers of income tax, and Mr. Gladstone proposed to abolish that tax altogether. When Mr. Gladstone returned to office in 1892 he found that political power had passed almost entirely into the hands of non-payers of income tax, and his first financial expedient was to impose an increased tax at the rate of 7d. per pound on the income taxpayer. No political party, and probably no statesman, can plead entire innocence of *opportunism*, but the annals of our history present no parallels to the opportunism of Mr. Gladstone's public career, and of the Liberal party under his inspiration.

Lavish expenditure was a favourite charge of Mr. Gladstone and his followers against the finance of Conservative administrations. It is instructive, therefore, to find that the estimated expenditure for 1893-94 was £91,464,000, a "gigantic total," as Sir William Harcourt truly observed, and the highest annual expenditure on record, with the exception of 1885-86, the last year of Mr. Gladstone's previous administration, when the figure was £92,223,884. In the last year for which the esti-

mates were framed by Mr. Goschen (1892-93), the expenditure was £90,375,000, so that there is in one year an increase of £1,100,000—a good commencement in the direction of that retrenchment which, according to the theories of Mr. Gladstone's earlier life, was the essence of sound finance. In this connection it may be noted that, however anxious may be the supervision of the Treasury, the careful examination of the estimates by the House of Commons is one of the great safeguards against extravagant expenditure. Nobody has insisted more strenuously than has Mr. Gladstone upon a scrutiny of the estimates as being the primary business of Parliament, and no one has protested more vigorously against "supply" being thrust into the background to make room for the legislative schemes of the Government. But in no session of Parliament have the facilities afforded for the examination and discussion of the estimates been more unsatisfactory than during that of 1893, when the estimates were thrust aside and hustled into September to make room for the abortive Home Rule measure which proposed to saddle the unfortunate taxpayers of Great Britain with heavier burdens than ever.

Party politicians on both sides inevitably appeal to totals when these are favourable to themselves, and ignore circumstances for which the Government may be wholly irresponsible. Thoughtful men, however, recognise that annual income and expenditure may be controlled by conditions which it is beyond the power of the Government of the day to influence, and that finance does not necessarily deserve laudation when there is a surplus or condemnation when there is a deficit. But, on the other hand, if one is to go below the surface at all, one must take account as well of these conditions indirectly bearing upon finance for which the Government is responsible, as of those which are beyond its control. Among the former is the influence of the conduct of the Government upon the public confidence, which is necessary for the prosperity of trade. That confidence began to decline in 1892, as the general election approached, and it disappeared altogether when the reins of power passed into the hands of the Gladstonian party. It is idle to expect that commercial and industrial confidence can be maintained under the rule of a Government whose conduct and principles are antagonistic to the views and the interests of the vast majority of those on the employment of whose capital and energy the development of our commerce and our industries depends. Subject to these observations, and leaving it to each political student to draw his own inferences, the following is a bird's-eye view of the results of the first year of Harcourt finance. The figures are from the "Statistical Abstract" for 1893.

**PUBLIC REVENUE** (p. 7).

Year ending March 31, 1892 . . . . .	£90,994,000
Do. do. 1893 . . . . .	90,395,000
	<hr/>
Decrease of revenue under Mr. Gladstone . . . . .	£599,000

**PUBLIC EXPENDITURE** (p. 7).

Year ending March 31, 1892 . . . . .	£89,927,000
Do. do. 1893 . . . . .	90,375,000
	<hr/>
Increased expenditure . . . . .	£448,000

**EXCHEQUER BALANCES** (p. 15).

Cash in hand on March 31, 1892 . . . . .	£6,255,000
Do. do. 1893 . . . . .	5,082,000
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Decrease of balance in Bank . . . . .	£1,173,000

**IMPERIAL TAXATION** (p. 25, and Budget, 1893).

Taxation reduced by Mr. Goschen in 1892 . . . . .	£50,000
Taxation imposed by Sir William Harcourt in 1893 . . . . .	2,200,000

**LOCAL TAXATION** (p. 29).

Amount of relief under Mr. Goschen, 1892 . . . . .	£7,581,000
Amount of relief under Sir William Harcourt, 1893 . . . . .	7,214,000
	<hr/>
Decreased amount of relief . . . . .	£367,000

**PAUPERISM** (p. 234).

Paupers in receipt of relief, January 1, 1892 . . . . .	754,000
Do. do. 1893 . . . . .	776,000
	<hr/>
Increase of paupers . . . . .	22,000

According to the Board of Trade Returns for the eleven months ending 30th November 1893, there was a decline of £27,000,000 in the volume of trade as compared with the same period in the preceding year. Shipbuilding declined from 1,194,000 tons in 1892 to 880,000 tons in 1893. The revenue returns for the nine months ending 31st December 1893 showed a net decline over the previous year of £1,843,361.



## CHAPTER XVII.

### SCOTLAND AND THE GOVERNMENT, 1892 and 1893.

WHEN upon the formation of Mr. Gladstone's Government in August 1892, it appeared that the Secretary for Scotland, Sir George Trevelyan, was to be a member of the Cabinet, it was thought that Scottish affairs would receive their full share of Ministerial attention. The new Government had special facilities for dealing with Scottish interests, counting as they did so large a proportion of the Scottish members among their party supporters. But in no session has less been done for Scotland than in that which has lasted from January 1893 to February 1894.

#### LEGISLATION ACCOMPLISHED.

Not one of the Government measures promised—to use Mr. Gladstone's words, “in the solemn form provided by the Queen's Speech at the beginning of the session”—has been brought within measurable distance of becoming law. Two comparatively small measures amending the Burgh Police Act and the Local Authorities Loans Act, which were in no sense party measures, have been placed on the Statute-book ; but the only subject for which the Scottish Secretary could take credit when addressing his constituents was a local and personal Act, also non-party in character, constituting Glasgow a county of a city.

#### LEGISLATION ATTEMPTED, BUNGLED, AND ABANDONED.

*The Scottish Fisheries Bill of 1893.*—This measure was not thought worthy of mention in the Queen's Speech, but was introduced in response to an evident desire on the part both of Unionist and Gladstonian members that the subject should be dealt with. Attention has already been directed (p. 100) to the manner in which the efforts of Lord Salisbury's Government to deal with this question had been obstructed and thwarted. Very different was the action of the Scottish Unionist members towards the Bill of Mr. Gladstone's Government. Sir George Trevelyan himself acknowledged that it was to their “wonderful forbearance” the Bill owed its pas-

sage through the House of Commons. They accepted inadequate modification of arrangements of which some of them disapproved, they refrained from criticism, and they desisted from pressing additional clauses on subjects of great importance in which they were interested, because, while they were anxious to amend, they were desirous not to destroy the Bill. The Bill was introduced in the House of Commons and printed in March 1893. The principal features which distinguished it from the Bill of Lord Lothian were—

(1.) There were to be eight instead of five fishery districts, and the number of appointed members on the Fishery Board was to be reduced to three.

(2.) The Fishery District Committees were to be composed of an equal number of County or Town Councillors, and of persons directly elected by the county or municipal electors "entitled to be included in the expression, fishing interests."

(3.) The whole expenses of the Fishery District Committees, including those in connection with the acquisition of mussel-beds, were to be met by a special assessment not exceeding 3d. in the £1 on all lands and heritages in the district (*i.e.*, any county having a seaboard), to be raised and collected by the Fishery District Committee.

(4.) All titles to mussel-beds were to be produced and instructed to the satisfaction of the Woods and Forests Department, and otherwise the burden of bringing an action of declarator was laid on the owner, and if he did not do so within twelve months, the mussel-beds in question were to vest in the Crown.

(5.) All money provided by Parliament in future for the Fishery Board was stereotyped at £20,000 a year, which was to be in lieu of all payments previously made.

Great objection was felt to the rating clause, as unjust in itself, and as introducing a new rating authority. The provision as to placing on the owner (in event of dispute) the *onus* of raising an action within a limited period to establish his right, was thought by many to be an inequitable transfer, under harsh conditions, of the burden of proof; and it was seen to be a bad bargain for Scotland, that the sums hitherto received under various Acts for the Scottish Fisheries, and capable of indefinite extension, should be stereotyped for ever at a sum corresponding to their present amount, while all further burden was thrown upon Scottish ratepayers, most of whom had no special interest in the fishing industry. There was also a strong desire that the provision as to licences to fish for salmon, which the previous Government had intimated their readiness to accept, should be incorporated with the measure, and Mr. Anstruther, Liberal-Unionist member for the St. Andrews Burghs, gave notice of

an amendment to that effect. The Bill came on for discussion late in the session.

In Committee on 11th September, Sir George Trevelyan reduced the rating limit to 1d. in the £1; the financial clause relating to the Imperial contribution was deleted, and a very different one authorising an application of a portion of grants under existing Acts was substituted; and the Unionist amendments were withdrawn. To a Minister who counted Dr. Hunter and Dr. Clark among his supporters, this must indeed have seemed "wonderful forbearance." If the conduct of the Unionist members is open to criticism, it is that they were somewhat lax in allowing a slipshod measure, thus patched up in the "sma' 'oors" of a morning in September, to slide through without sufficient examination of the principles it introduced. The rating provision was indeed difficult to defend. Why the Braemar crofter should be taxed for mussel bait, while the Blair-Athole one escapes Scot-free, passes comprehension; and that Dumbartonshire should have been run in, while Lanarkshire got off, seems most inequitable. Those who would benefit were directly the coast fishermen, and indirectly the public in the great cities to which most of the fish go. But while the Aberdeenshire and Forfarshire farmer was to pay to make the fisherman's industry more profitable, and the fish at the rich Glasgow merchant's breakfast-table cheaper, not a penny of contribution was to be got from the rates of that great western city, which probably eats more fish than all the country parishes north of the Forth and Clyde.

A pretty picture of Gladstonian methods of conducting important national business has been furnished by a Gladstonian pen in connection with the Fisheries Bill. On 5th December 1893 the *Scotsman* published a correspondence in reference to it which had passed between Mr. Gilbert Beith, M.P. for the Inverness Burghs, and the Town Clerk of Inverness. Mr. Beith, on 11th September, thus described what was done in the Commons:—"After a great deal of negotiation with the Government and among themselves, the Scottish members have agreed to drop all contentious clauses, and endeavour to pass the Bill through all its stages after one o'clock to-morrow morning. It is the only chance of getting the Bill through, and we think it better to give up Clause 20, *i.e.*, the financial clause, and to drop all amendments referring to salmon fisheries, &c. &c., to get the principle of the measure accepted by Parliament, with the view of working through next session an amended and more perfect measure."

Opposition to the Bill arose from an unexpected quarter, and one untainted by any suspicion of party motives. The Town Council and other bodies of Aberdeen, the Town Councils of

Dundee, Inverness, Greenock, and Brechin, the County Councils of Aberdeenshire, Elgin, Nairn, Orkney, Forfarshire, Wigtownshire, Kirkcudbrightshire, Renfrewshire, Dumbartonshire, and other places, were found protesting against the incidence of the rating clause, and appealing to the House of Lords to amend the Bill. That the Bill was indefensible in its existing shape, was admitted by its authors when Lord Playfair, the Minister in charge before the Committee stage in the Lords, tabled a series of amendments which filled a column of the *Scotsman*. Mr. Gilbert Beith again gives us a refreshing glimpse behind the scenes. We find him bustling about in reference to certain interests of Inverness which had been understood to be safeguarded by arrangement, but on examination of the Bill as it went to the Upper House were found not to be protected at all, and undertaking "to have the matter put right in the House of Lords"—even exclaiming in correspondence, "How good it is that we have a House of Lords."

The House of Lords threw out the rating provision and otherwise amended the Bill to put it into proper shape. Their action was followed by something very like sharp practice on the part of the Government. In the Standing Committee their representation was proportionately larger than in Committee of the whole House, and many Unionist peers had left town. Notice was given of amendments to be moved in the Standing Committee which were practically a reintroduction of much that had been already rejected. These tactics were confounded by the ruling, that after the decision in Committee such amendments were out of order.

The Bill as amended by the House of Lords came on for discussion in the Commons on 10th January 1894. On the 5th there were circulated amendments to be proposed by Sir George Trevelyan, which were substantially a reproduction of the proposals endeavoured to be inserted in the Standing Committee of the Lords. But the chameleon-like character which this measure shared with other legislative attempts of the Government was further illustrated before the day of discussion was reached. On the 9th the amendments were amended in an important particular by the recasting of a sub-section of the clause defining the constitution and powers of the District Committees, so as to permit of an appeal to the Scottish Office by any member of a County or Town Council.

The discussion on 10th January added yet another page of the unexpected and the undecided to the chequered history of this unfortunate and misconceived measure. For the comparatively simple clause of twenty-seven lines, by which the House of Lords provided for the constitution by Departmental Order of District Committees, composed of persons representing

fishing interests, Sir George Trevelyan proposed to substitute a long and involved one, of which the main features were the appointment of half the members of Committee by the County and Town Councils, and the election of an equal number by the "fishing interest" electorate; the defrayment of the expenses of the District Fishery Committees by a special assessment apportioned among the counties and burghs in the district as the Departmental Order should direct, to be collected by the County and Town Councils as an addition to the general purposes rate or its equivalent in the burghs; and the definition given of seaboard counties by a schedule. Again, the Government was smitten by its friends. Captain Sinclair, the member for Dumbartonshire, moved to substitute an assessment over the whole of Scotland, for one confined to the selected counties and burghs. He pointed out that Braemar in Aberdeenshire, and Kingussie in Inverness-shire, were to be rated, while Blairgowrie in Perthshire was not; that Inverness and Aberdeen, and, he might have added, as the Solicitor-General admitted, Edinburgh, were to be rated, while Glasgow was not; that Dunfermline and Dundee were to be rated, while Stirling and Perth were to escape. He was followed by Mr. R. T. Reid (Dumfries Burghs), Dr. Farquharson (West Aberdeenshire), and Dr. Macgregor (Inverness-shire), while the defence made by Sir George Trevelyan was feeble, and was scarcely supported by the Gladstonian members who voted with the Government. Mr. Marjoribanks was thrown overboard by the Lord Advocate as to the powers of incurring expenses for policing possessed by the District Committees, and the amendment was only rejected by eighty-six votes to fifty-three, in spite of the unfortunate manner in which it proposed a general rate instead of an Imperial grant. Mr. Renshaw then moved to reduce the number of "fishery members" to one-third instead of one-half. He pointed out that in the district comprising Dumfries, Kirkcudbright, Wigtown, Ayr, and Renfrew, the population was 667,349, while the fishermen were only 870, and the total valuation £3,670,000, while a penny in the £1 would be £15,000, and the general purposes rate was one farthing in the £1. In Renfrewshire there were 66,000 persons engaged in industrial pursuits, of whom only 62 were fishermen, and one fisherman was therefore to equal the vote of 1000 ratepayers. This amendment was negatived; but a serious blot was soon indicated by Mr. Renshaw, and emphasised by Sir C. Pearson and Mr. Balfour. This was, that under the Bill as it stood, they were rendering unavoidable a contest in every electoral district of a seaboard county, although there might be no desire to have a contest for county purposes, if a surplus of fishery member candidates were nominated. Sir George Trevelyan

then admitted that "there was a difficulty which required to be met," declared that the Government would "endeavour to meet it," and moved that the debate be adjourned till 12th February. Thus after the "wonderful forbearance" of the Opposition, after all the luck of the Government in escaping hostile criticism, and after all the repeated reconsideration and redrafting the Bill had undergone, it was found incurably imperfect, on the confession of its author, and had again to be taken back to be tinkered up once more.

This reconsideration resulted in the appearance of another amendment, by which a distinction was drawn between areas within a county, as to the extent of the rate to be levied within them. To some extent this might reduce the injustice, but it did not remove it, and it placed a remarkable power of exempting from or alleviating taxation in the hands of the Scottish Office.

The resumed discussion on 12th February was prolific of even more picturesque incidents and pregnant passages. The Gladstonian members for Edinburgh had been awakened, the evil features of the Bill were more clearly realised, and there was more fog than ever as to the precise effect of the various strata of amendments. The extent to which the Government were indebted to the House of Lords for redrafting and amending was shown by the fact that the Commons agreed with forty of the Lords' amendments, and disagreed with six. But these six included the crucial rating provisions. A sub-section providing for dispensing with the unnecessary elections alluded to in the previous discussion was added to the Bill, and before the rating clause was reached Mr. Reid (G.L.) complained that he had tried in vain to follow what was being done. While prepared to "accept in all humility and faith that everything was all right," he thought there should be time to consider the effect of amendments before they were moved. The opposition to the rating clause was led by Dr. Farquharson (G.L.), who began by observing that the Bill became more complicated in its frequent appearances before the House. His constituents, the Aberdeenshire farmers, were not convinced that the fisherman's industry was so depressed as their own; they had no chance of enjoying a herring for breakfast; and the assessment for pleuro-pneumonia, originally local, had been made imperial. Mr. Herbert Paul (G.L.) supported him, contrasting the treatment of Edinburgh, which had always been a separate county, with that of Glasgow, made one within the year. Mr. Munro Ferguson (G.L.) chimed in, pointing out that three-fourths of the fish caught in the Forth went to Glasgow. Mr. R. T. Reid "could not understand how it could be suggested that Edinburgh should be included and Glasgow excluded," but thought it "equally



monstrous to exclude an opulent city like Edinburgh, and include a village like Kingussie," and voted for the Government. Sir. D. Macfarlane (G.L.) remarked "he was not a very great admirer of the Bill. It was a small Bill, but it was better than no Bill, and he would support the Government." The Government majority, including Sir D. Macfarlane and Mr. Reid, fell to thirty-two. Upon moving to include in the schedule after Midlothian the words "including the county of the city of Edinburgh," Sir George Trevelyan drew a spirited attack from Mr. Wallace (G.L.), who described the Bill as "enough of a Chinese puzzle" already. A number of the most devoted Gladstonian M.P.'s were seen going dead against the Government, and exclusive of the members of the Ministry, the votes of the Scottish members in the leading division were equally divided. But there was more to follow. The Corporation of Edinburgh sent up a deputation consisting chiefly of prominent Gladstonian magistrates, to protest against the illogical injustice of treating Edinburgh, which only sees the Forth from its back windows at a distance, as a seaboard county, while Glasgow, whose quays are washed by the tides of the Clyde estuary, was not so treated. They also prepared a cogent statement in view of the final debate in the Lords, which concluded with the following very sensible propositions, wholly condemnatory of the Government's policy:—

The Corporation of Edinburgh therefore further submit—

- (1.) That if any such proposal is to be sanctioned at all, the expenses should be borne by Imperial funds, because the whole community of the United Kingdom is equally interested with the seaboard communities. It is common knowledge that entire fish cargoes are transported in bulk by fish trains and otherwise from the fishing districts to the great centres of population in England and Scotland, and the seaboard people have no special or separate interest in the fishing industry from the rest of the country.
- (2.) That if local rates are to bear the proposed burden, the whole of Scotland, and not merely certain selected parts, should be subject to assessment, and no local rate ought to be imposed except on the initiative of the local authorities. Because it is contrary to sound principle, and is unjust to the persons taxed, to assess a rate for the support of any particular industry on a section of the community, and it is inexpedient to confer power on any other body than the local authority to initiate any assessment.
- (3.) That the composition of the proposed Fishery Committee should be altered by making the number of members representing "the fishing interest" smaller than the nominated members.



Because it is inexpedient and impolitic to confer rating powers on persons (who would probably form the majority in any meeting) for whose benefit and advantage the rate is to be expended, and who are directly interested in the industry to be subsidised.

J. A. RUSSELL, Lord Provost.

On 16th February the House of Lords proceeded to deal with the Bill once more, the information at their disposal having, it is said, been increased by Bailie Dunlop, who, at the interview of the Edinburgh deputation with Lord Salisbury, read extracts from the Gladstonian papers deploring Sir George Trevelyan's action, because it placed the Peers in the position of doing a conspicuous service to Scotland. Other important public bodies and corporations had again petitioned against it. The final instance of illogicality and inconsistency was reached when Lord Playfair stated that the inclusion of Edinburgh was not considered by the Government to be a vital part of the Bill. The Lords maintained the general position they had previously taken up, and the Bill was again altered by throwing out the Government scheme for division into eight districts of the counties specified in the schedule, the cumbrous, involved, and inequitable rating provision, and the awkward arrangements for the election of the district committees.

On 19th February, Sir George Trevelyan announced in the House of Commons that the Government had resolved to drop the Bill. In the light of its protracted agony and melancholy fate, it is interesting to recall that this was the measure of which Mr. Gladstone thus prophesied at Edinburgh on 27th September 1893 :—

“A Bill of much importance to many districts of Scotland connected with your sea-fisheries is now in the House of Lords, and is not likely, I believe, to meet with the fate which unhappily from time to time attends good measures which are sent there from the House of Commons.”

It met with the fate which bad measures merit, but the excess of ignominy with which it perished was due, not to the action of the House of Lords, or even of the Radical municipalities who appealed to them, but to the extraordinary mess that was made of its management by its authors.

#### LEGISLATION PROMISED AND NOT PERFORMED.

If the performance of the present Government has been scanty, their promises have been large enough. The barrenness of a session of unexampled length has been very largely due

to the way in which, instead of carrying on one or two measures at a time, they flung down on the floor of the House of Commons a large number of important Bills, three or four of which should each have formed the principal measure of a session. Scottish affairs have supplied remarkable instances of promises unfulfilled, of ministerial statements producing the impression that Bills were ready to be introduced when they were nothing of the kind, and of Bills—as has been seen—carried through important stages in such a state that they had to be remodelled afterwards.

*The Scottish Church Suspensory Bill.*—The Queen's Speech announced a Bill "for the prevention of the growth of new vested interests in the Ecclesiastical Establishment" of Scotland, which has never from that day to this been produced. It was kept on the order paper of the House of Commons from day to day, and no amount of repeated questioning could elicit other than a dilatory answer as to its character and the intentions of the Government in regard to it, until in the very end of August, Sir George Trevelyan announced that the Government did not intend to introduce it this session.

*Registration Bill.*—This Bill was also intimated in the Queen's Speech. Its detailed proposals and partisan character will be found discussed in the chapter on The Constitution and the Franchise; but the tactics of the Government in regard to it deserve some consideration. They showed a great desire to dodge it through without discussion, and a remarkable failure in accomplishing their object. The proposal to remove altogether the disqualification for non-payment of rates had a very important bearing on the interests of local authorities as well as on the character of the new electorate. Yet Sir George Trevelyan absolutely refused to delay the second reading of the Bill till County and Town Councils had an opportunity of considering it. He also refused to grant a return showing the number of persons at present disqualified. In this the Government were signally discomfited when Mr. Renshaw moved for the return, and got it, in spite of a protest made too late. Sir George Trevelyan then again refused to delay the second reading till the return, ordered by the House, had been presented. Before the second reading the Scottish Secretary held "a hole and corner meeting" at Dover House with the Scottish Gladstonian members, at which the Bill is said to have been gone over clause by clause. When it came on for second reading on 26th April he appealed to the House to pass it, and leave all discussion for Committee, and an impudent proposal was made by a Scottish Gladstonian member to closure the debate in the middle of the first speech. On 10th May Mr. Gladstone described the Registration Bill as "part of the necessary work of the session, that is to say, as

part of the work which the Government intend to use every effort in their power to get through." Yet in spite of the disregard shown of the rights of full and fair discussion, this Bill has never been pushed to a second reading.

*Scottish Parish Councils.*—Most remarkable have been the contradictory revelations as to the state of mind of the Government on this subject. The Queen's Speech promised "measures." In February the Scottish Secretary assured a deputation that he had carefully collected material for dealing with Local Government, had a summary of important suggested amendments made by local bodies in Scotland, and had also collected another series of suggestions supported by the votes of Scottish members in Parliament. On 23rd March he stated, that while it would not be introduced before Easter, "We shall have a Local Government Bill for Scotland: it shall be essentially Scottish." On 7th September he assured Dr. Farquharson that "the Government had *actually prepared* for Scotland, not only a Parish Councils Bill, but a Local Government Bill, which would give to that country everything given by the English Bill." At Edinburgh, on 27th September, Mr. Gladstone distinctly announced, after referring to the English Bill, "a corresponding measure for Scotland, which will immediately follow it, and will march along with it, as I hope this year to take its place on the Statute-book." Shortly afterwards Sir George Trevelyan declared at Glasgow that this Scotch Bill was in "an advanced state of preparation." To the surprise of everybody, when Parliament reassembled for the uncompleted session, instead of the Bill being ready, there was a confession that the information for it had still to be collected. "The Government," said Sir George Trevelyan in reply to an inquiry whether the Bill would be produced in order that it might be fully considered in Scotland before next session, "do not propose to introduce a measure dealing with Local Government in Scotland during this session. The Government have in contemplation a circular letter to be laid before the County Councils at their December meeting, to ask for information as to any defects in the working of Local Government which require remedy, or any improvements which experience may suggest." Could there be a more startling illustration of confusion, of ineptitude, and of unwarrantably holding out hopes of early legislation for which the proper preparation had not been made, on the part of a Government composed of responsible statesmen?

*Fatal Accidents Inquiry Bill.*—This Bill was introduced under pressure from the Radical wing of the Government's supporters, only to perish in the general massacre of the innocents.

Dissatisfaction with the barrenness of legislation and the incompetent conduct of Scottish affairs has not been confined

to Unionist members. On 29th August Dr. Macgregor demanded, "Is the right honourable gentleman aware that in consequence of the apathy and delay of the Government the Highland people are losing confidence in them." On 8th September Mr. Shaw grumbled over "the very meagre programme of legislation for Scotland," and on the 13th was audacious enough to move a reduction of the Scottish Secretary's salary in order to express the "sense of disappointment" of those who "thought a further step had been taken when the Secretary for Scotland was taken into the Cabinet." On 22nd December Mr. R. T. Reid is reported as saying, "He was a Scotsman. They had been there for a year. With the exception of one small uncontested Bill, not a single thing had been done for Scotland. They might as well have forgotten that country existed."

#### ADMINISTRATION.

After all, absence of legislation is not such a serious evil as incompetent and unwise administration. The one is only a negative but the other is a positive calamity. Scotland has not been fortunate in the hands which have guided her general administration since August 1892.

*The Secondary Education Minute Question.*—There are few matters more important than the influence exercised by the Secretary for Scotland as head of the Scottish Education Department over our system of national education. Never has there been a more extraordinary history of mingled vacillation and obstinacy, of mistake as to Scottish feeling without the grace to acknowledge it, and of professed regard for and actual disregard of the opinions of local authorities, than was displayed in 1893 by the Secretary for Scotland in connection with Secondary Education.

One of the last acts of Lord Salisbury's Government was to formulate on 11th August 1892 a carefully considered scheme for the most efficient application of the £60,000 (or after certain payments already provided for, the £57,000) allocated to Secondary Education, which Scotland owed to the Unionist Government. Full inquiry had been made by a Departmental Committee presided over by Lord Elgin, and the Minute of 11th August 1892 had been prepared on the basis of their recommendations. It had to lie on the table of Parliament for a month before receiving final effect. It provided for the constitution of County Committees, consisting of an equal number of County Councillors and Chairmen of School Boards, with the addition of a School Inspector, who were to report to the Education Department on the existing provision for Secondary Education

in their districts, and to recommend any additional provision that they might think necessary. Special provision was made for the constitution of Burgh Committees with similar functions in the large towns. The Department had power to make a grant of from £120 to £200 to higher class public schools already recognised as such, and to any other higher class schools which the Department on report from the local committees might recognise as serving the purpose of a higher class public school. Additional grants under certain conditions were also authorised to higher class schools and State-aided schools in which approved provision for secondary education was made. Under this Minute full local inquiry and report was secured, but there was left to the Department the power and duty of so distributing the money available as to secure the largest benefit over the whole country. In December 1892, without waiting for the final approval of the Minute, Sir George Trevelyan took steps to secure the early formation of the local committees, and on 31st January 1893 he issued what was really a new edition of the August Minute, containing alterations in detail, but no change of principle. Thus after nearly six months consideration the Government adopted and confirmed the policy of the August Minute. On 27th February, however, an attack was made upon the scheme in the House of Commons, principally by Gladstonian members. The Government at once took fright. Sir George Trevelyan described the local committees as "an advising board which might become, and he thought ought to become, an executive authority," undertook to suspend the operation of the Minute, and not to grant a penny of public money till another Minute was before the House, and announced that he proposed to consult the local committees as to an alternative scheme by which the money would be divided between the counties and large towns on a population basis, and handed over to the local committees to deal with, their schemes being subject only to the approval of the Department. The position was an anomalous one, for the local committees only owed their existence to the suspended Minute. The Government evidently expected that they would follow the lead of the Scottish Gladstonian members, and provide an excuse for the contemplated change of policy. But out of thirty-nine, only fifteen declared in favour of the new proposal, while twenty-four expressed their preference for the original Minute. The local authorities, invited to curse, had blessed; but even with their support, the Government did not venture to stick to their guns. They announced that they "felt bound to attach great weight to the strong expression of opinion by the Scottish representatives during the debate, and hesitated, in view of it, to limit further than is absolutely necessary the freedom of local action."

A new Minute was issued on 1st May, under which each committee, "guided by its own judgment," was to submit a scheme for the distribution of the sum allotted to it. The whole amount was to be distributed among the various committees, on a population basis. The Department might approve or remit the scheme submitted to the committee for modification. Thus the lion's share of the grant went to the large towns, where facilities for higher class education already existed, and the country districts, which most needed help, were starved. So far, however, from being popular, the new Minute produced an explosion of dissatisfaction. The mechanical majority of the Government carried it in the House of Commons, where Sir George Trevelyan besought that it might be passed without amendment, and claimed that it had "the advantage of finality." So far was this from being the case that the local committees and the school boards were seen appealing to the House of Lords to save them from the Scottish Secretary and the Scottish Gladstonian members. A conference of local committees was held in Edinburgh, over which Lord Elgin presided, which declared against the new scheme; and the school boards of Edinburgh, Glasgow, and Dundee protested, having special objections to certain results of the constitution of the Burgh Committees as executive authorities. Immediately before the debate in the House of Lords, Sir George Trevelyan declared to one deputation, in contrast to his statement of February, that he had satisfied himself the local committees were in no sense administrative bodies. To another deputation he intimated a further change of front and another surrender. Refusing to revert to his Minute of January, he gave an undertaking that for next year he would produce "a Minute of concession," by which "a sort of a dividend" would be issued to each committee before the balance was divided according to population. In the House of Lords an address to the Queen was carried, praying her to disallow the Minute. The Radical Minister then fell back on the arbitrary power of the Crown. A curt reply was sent to the Lords, that "it was expedient that action should be taken in accordance with the Minute in its present form," but the "advantage of finality" was thrown overboard, for it was added that if alterations should be found to be advantageous, these would be duly laid before the House. Ultimately Lord Balfour elicited a definite declaration that there would be paid to each committee a dividend of £200, and that a distinct statement was being made to the committees as to the character of their functions. Whatever might be the merits of the respective schemes, the Government in this matter exhibited a ludicrous spectacle of indecision and vacillation, and a melancholy miscalculation as to the policy



that would be popular in Scotland. Perhaps they may be entitled to use the excuse made by a Highland member for himself and his colleagues to a deputation, in the presence of the Secretary for Scotland, that they were "victims rather than criminals," but they could not avail themselves of his further plea, that at the hour in the morning when the question was brought on in the Commons "it was hardly fair to expect them to do their duty properly."

*The Deer Forests Commission.*—This Commission has introduced a new era in the history of Royal Commissions. Never have impartiality and independence been so audaciously discarded in the appointment of Commissioners, and never has any Royal Commission exhibited such a spectacle of internal jealousy, of desertion of duty by several members, and of sordid and childish ill-temper, ludicrous and discreditable alike to the Commission and the Government which selected such persons for such duties. The Commission was appointed to deal with a most difficult and delicate question—*i.e.*, land at present utilised as Deer Forest which might be made available for crofter cultivation—which involved considerations of injury to existing rights, and embarking on a policy which, if unsuccessful, would extend the area of distress. It was a duty for which, above all, impartial and independent men with practical knowledge should have been chosen. The action of the Government, on the contrary, was to nominate a Commission of eight, and to pack it with four thick and thin representatives of extreme opinions on the one side. Some of them were committed absolutely by their own speeches to one view, and were also notorious for their incapacity to recognise any rights at all on the other side. The other four were by no means representatives of that other side. Sheriff Brand, the chairman, by his judicial position and experience in the Crofters Commission, was unexceptionable, though in past days an active advocate of extreme Radical opinions; Mr. Shaw Stewart, M.P., and Mr. Forsyth were Conservatives; Mr. Gordon was a practical, independent man, a land valuator from Elgin, understood to have voted Gladstonian since Home Rule was adopted by Mr. Gladstone. Mr. Angus Sutherland, M.P., on the contrary, owed his seat in Parliament and on the Commission simply to the land-hunger of the Sutherland crofters, and his own prepossessions on the questions under inquiry. In September 1888 he had informed a correspondent that "it is vain and idle for any man to say he has a native land when he has to pay to another mere subject of the State for a right to live in it." Mr. John MacLeod had not long before declared that he "had grave doubts as to the right of the Duke of Sutherland to exact any rent," and advised the Sutherland people to "organise shooting



parties throughout the country." He had qualified for this important public service by acting as agent for the Land League candidate and member for Inverness-shire. Mr. Munro, a corn-factor in Inverness, had also qualified by acting as chairman of Mr. Beith's election committee in the Inverness Burghs. Mr. M'Callum, the minister of Muckairn, had been notorious for Land League views and their violent advocacy.

Before long the Commission was further discredited by a curious and mysterious incident in the career of one of its members, the facts as to which will be found detailed in the questions in the House, and answer by the Lord Advocate on 6th March 1893. In September the curtain was more or less lifted on a scene unique in the experiences of Royal Commissions. A question was put in the House as to whether a payment which had been made to the professional member for his services, in accordance with an ordinary official custom, "had caused great dissatisfaction, and had led to a suspension of the work of the Commission." Before long it became certain that three members had systematically absented themselves from their duties. On 14th September the members interested were beseeched not to "press the Government at this moment." On the 18th there was a distinct admission that Mr. John MacLeod had resigned. Two others had withdrawn their resignations, but, as a matter of fact, for a long time they refrained from taking part in the work, which was conducted by the other members. When the House met again, in reply to an inquiry by Dr. Macgregor as to how many members had taken part during the last two months, Sir George Trevelyan declined to say how many meetings each member had attended, and announced that Mr. John MacLeod had withdrawn his resignation. It thus appeared that pressure must have been put upon this person, whose appointment was a scandal, and who had resigned in a huff, to get him to withdraw his resignation, and restore the packed character of the Commission, which had been weakened by the idiosyncrasies of the political allies of the Government put upon it. The Report must be already discounted in so far as moulded by these absentee and prejudiced members of the Commission.

*The Boddam Episode.*—It was the misfortune of one of the early appointments made by the Government to produce a series of incidents discreditable to the public service, and most damaging to the prestige of the Scottish Office. Scotland was astonished when it was announced that the chairmanship of the Fishery Board had been bestowed upon Mr. Peter Esslemont, M.P. East Aberdeenshire was more astonished when, in the election that immediately followed his own elevation, the new Chairman of the Fishery Board appeared on an election

platform in a fishing village in his old constituency. It was said that the public official went there to answer a personal attack, and correct some errors said to have been made by the Unionist candidate in reference to the Parliamentary grants to the Fishery Board. But the personal attack was only comment on the publicly expressed opinions and public action of the ex-member, and any explanation thought necessary could have been given by letter in the newspapers. On the other hand, the place selected was a fishing village, where the Unionist candidate was supposed to have a following amenable to persuasion; the audience were largely fishermen, who had much to get from the Board of which the speaker was now the head; and the orator was one who had owed his seat to an ingeniously induced belief among various sections of the electorate that by voting for him more or less substantial material advantages to their own pockets were to be got. The appearance was therefore highly improper, and corrupt in influence, if not in intention. But it transpired in the House of Commons that it was made after communication with the Scottish Secretary and with the Patronage Secretary. Mr. Esslemont, as Dr. Farquharson let out, "did not go to that meeting and speak till he had got from the authorities in London distinct permission to do so." It appeared that the permission came from Mr. Marjoribanks, and that, on the other hand, the Scottish Office had called attention to the rule that members of the Civil Service should not take part in a contested election. The caution had, however, been given in very qualified terms. Sir George Trevelyan's own words on 9th February were, "he expressed his opinion to Mr. Esslemont both before and after that he was running the thing rather fine;" and in September he described the performance as "indiscretion, if it was an indiscretion." There was certainly no "indiscretion," for the performer had taken the precaution to provide himself with an affirmative as well as a negative opinion, which came as a revelation to the Scottish Secretary in September. It is to be regretted that Sir George Trevelyan showed an unfortunate incapacity to realise the gravity of a gratuitous offence which led to further developments injurious to the reputation of the public service.

*Incidental Administrative Errors.*—In spite of remonstrances from the highest medical and sanitary authorities, Sir George Trevelyan has relaxed the rule which discouraged county medical officers engaging in private practice. The Scottish Office had previously made it a condition of participation in the Government grant that the medical officer of the county receiving it should not carry on private practice. Sir George Trevelyan has altered this, and no longer withholds the Government grant in cases where private practice is conducted.

He also, in spite of the question having been discussed and otherwise decided in the debates on the Local Government Act, wrote a letter sanctioning the payment by the County Council of Ross of the travelling expenses of its members. When the illegality was pointed out, he was forced at last to admit distinctly in Parliament that his letter was withdrawn.

He has also taken up a dangerous attitude in reference to the duties of local bodies to assist the enforcement of the law. On an estate in Sutherland where deforcement was threatened, and the local force was inadequate to enforce the law, the sheriff applied to the joint-committee of the county to secure the services of additional police. The joint-committee, on the ground of their own personal opinions that the rents were too high, refused. Sir George Trevelyan, when questioned, declared that the joint-committee had acted strictly within their right, and went on practically to intimate approval of what they had done by expressing his hope that their representations would have the effect which they ought to have on the estate management. The logical result of this is, that public duty is only to be performed, and the law to be enforced, when it suits the tastes of members of the local body vested with the duty of supplying the means, and of the Minister in office, and that rights of property are to be taken away, not only by legislation, with or without compensation, but by something like what the Russians call "administrative process."

The Scottish Secretary has also caused great dissatisfaction by unceremoniously refusing, without reason assigned, the request unanimously resolved on by the Leith School Board, to sanction a certain school in their town as a fee-paying school, for which very strong reasons were brought forward. Of all matters on which local knowledge should be decisive, it would seem that this should be in the first rank, and the anger of the Leith School Board is not lessened by the knowledge that "the question as to increasing the number of fee-paying schools is regarded as a *political* (!) one as to which the present head of the Department holds a decided opinion."

*Financial Relations of Scotland and the other parts of the United Kingdom.*—Credit is due to Mr. Cochrane, the Liberal-Unionist member for North Ayrshire, for initiating a movement on this subject. This is none the less the case, though the matter was afterwards separately pressed by a section of Gladstonian members, led by Sir C. Cameron, and the resolve to appoint a Select Committee to inquire into the matter was somewhat ungraciously intimated by Mr. Gladstone in a letter to Sir Charles Cameron, in which the original exertions of Mr. Cochrane were rather superciliously treated, and it was made to appear as if the suggestion had primarily emanated from the supporters of the Government.

## CHAPTER XVIII.

### GLADSTONE GOVERNMENT (GENERAL).

THE Government of Lord Salisbury was the most successful of modern times. There have been other ministers perhaps just as capable, but fortune was against them. Upon some others fortune seemed to smile, but lack of collective or individual capacity eventually led to signal disaster. Under Lord Salisbury, to adopt a Scottish phrase, there was a happy combination of "good fortune with good guidance." Everything prospered. Abroad there was profound peace, and Britain held a high place in the councils of the nations: the boundaries of our empire were enormously extended, both in Asia and in Africa: at home there was a revival of trade, and an immense improvement in the state of the national finances, a volume of popular and important legislation was successfully carried through Parliament; tranquillity and prosperity were restored in Ireland, the defences of our empire were vastly strengthened, the great spending departments were reorganised, and not a single blunder or scandal marred the administration of any department of state. Once or twice the Home Office was assailed by the press, but Mr. Secretary Mathews firmly held his ground, with the loyal support of a united party, and in regard to every important decision where his discretion was challenged, he was eventually proved to have been right.

Under the Gladstone Government almost every one of these favourable conditions has been reversed. Serious complications abroad have been avoided only through Mr. Gladstone's almost enforced selection as Foreign Minister of a statesman who absolutely repudiates those doctrines of foreign policy which Mr. Gladstone has, for forty years, vainly striven to popularise, and who has adopted unreservedly the principles of Imperial Government prescribed by Lord Beaconsfield and followed out by Lord Salisbury. But the advent of Mr. Gladstone to office, even though qualified by the presence of Lord Rosebery at the Foreign Office, has created a sense of uneasiness and distrust upon the Continent, has quickened dangerous movements in Egypt and in India, has led to strained relations with the Cape Government, and has been followed by warfare in South Africa. Trade has languished since Mr. Gladstone took office, and strikes

have abounded. In Ireland all parties are discontented and ill-affected towards the Government. Naval shipbuilding has been neglected to an extent that seriously threatens our national security. The national finances are disorganised, and a large deficit looms ominously ahead. The Scottish Office and the Education Department have incurred profound unpopularity—the former by an almost unparalleled course of blundering, the latter by a vexatious persecution directed against the voluntary schools. Everything that is to the credit of the administration of the Home Secretary is to the discredit of the professions and promises which secured the return of his party to power, and is intensely distasteful to a large number of the members upon whose support the continued existence of the Ministry depends.

The conduct of the Government in several relations is treated of elsewhere. It is necessary here only to refer to certain details which do not range themselves under any of the heads dealt with in separate chapters.

The advent of the Gladstone Government to power was hailed with satisfaction by the disappointed and the disaffected of all classes in all three kingdoms. Success at the polls had been secured by pandering to every fad and fancy to which any section of the public was a prey. Numbers, for example, of weak-minded enthusiasts voted for Gladstonian candidates, because they believed that Mr. Gladstone would at once order the release of Mrs. Maybrick from jail! Thousands—perhaps tens of thousands—voted for them because they understood that a Gladstonian Government would put an end to compulsory vaccination. The position of a Government supported by a party who hold power by such a tenure is necessarily a precarious and disagreeable one. The “cumulative fallacy,” as it has been called, is an admirable opposition instrument, but a most awkward office memory. Powerful as are the tenants of the Cave of Adullam for destructive warfare, they have no cohesion for constructive work. At the present moment a large proportion of the Gladstonian party are embarrassed by pledges which they have no power to redeem. It is true that the pressure of the caucus has averted any serious open cleavage, but the situation is one of constant strain, and it is only because on certain questions the Unionist party support the Government against their own extreme followers that humiliating defeat is avoided. Upon such questions as Egypt, Uganda, South Africa, Indian Government, National Defence, the release of the dynamitards, Trafalgar Square, labour riots, &c., sections of their own supporters are bitterly opposed to the policy to which the Government have committed themselves, and the Ministry is therefore dependent upon the patriotism of the Opposition for their ability to carry on the

business of the country. During his last Fifeshire tour Mr. Asquith had the hardihood to deny this, but his denial will not bear examination. If, for example, the Opposition were to vote in favour of the evacuation of Egypt, or the release of the dynamitards, the Government could not command a majority of the House against either of these proposals.

*Dynamitards.*—This latter question is a good illustration of the promises or half promises which placed the Government in power. No exception can be taken to Mr. Asquith's official pronouncements. But let the declarations of Radical candidates at last General Election *in constituencies where there was a large Irish vote* be examined, and nowhere will an unequivocal refusal to accede to the demand be found. It is quite true that many avoided making any distinct pledge, but, on the other hand, every one of them who was questioned upon the matter, gave it to be understood that the question was to be reconsidered, and that the dynamitards stood a good chance of being released if only a Gladstonian Government were returned to power.

*Trafalgar Square.*—This is another illustration. The Gladstonians in opposition challenged not only the propriety but the legality of suppressing meetings there. The Tories, it was represented—and this doubtless turned many votes in London—were seeking to interfere with the constitutional right of public meeting. But Mr. Asquith has now endorsed Mr. Matthews' contention. He has affirmed the absolute right of the Home Office to prohibit meetings there. At a time when meetings in that place had been attended with riot and disorder Mr. Matthews thought it right to prohibit in the meantime all meetings in the Square. After an interval, and at a time when there were no threats of serious disturbance, Mr. Asquith thought it right to announce that such meetings might be held as were previously intimated to the police and sanctioned by the Home Office, whilst all meetings not so intimated or not so sanctioned would be suppressed. Whether Mr. Asquith exercised a wise discretion in giving this qualified permission is fair matter of argument, but the attitude which he adopted was a complete endorsement of the position of Mr. Matthews, in asserting the absolute right of the Home Office to prohibit meetings in the Square.

#### SECTIONAL SUPPORT.

Another source of serious embarrassment to the Government is, that the party is officially committed to a large number of measures, in which sections only of the party are interested, and to which many are indifferent or even hostile,



as, for example, Local Veto, Disestablishment in Scotland and Wales, and Home Rule for Ireland. Here again the "cumulative fallacy" was very potent at the General Election. Each section of electors saw only their own peculiar hobby, and pains were taken to rivet their eyes upon it, and to keep down the curtain on everything that might not wear so agreeable a guise. Now the Government find it necessary to humour each of these sections by a show of activity in the advancement of the particular measure in which that section is interested; and necessary at the same time to avoid displeasing any one section by showing special favour to the project of any other. If Welsh Disestablishment is placed before Local Veto to-day, some Minister must make a declaration to-morrow of the resolute determination of the Government to push Local Veto without delay through Parliament.

#### THE MAGISTRACY.

The difficulty which has arisen with reference to the appointment of magistrates is a good illustration of the kind of embarrassments in which a party where the tail seeks to wag the head is sure to be perpetually involved. Hitherto magistrates have been appointed by the Lord Chancellor on the recommendation of the Lords Lieutenant of Counties. The appointments were not political, and as there were as many or more Liberals than Conservatives among the Lords Lieutenant and among the magistrates appointed, no complaint had arisen before 1886. But when in that year the great bulk of intelligent Liberals became Unionists, the Gladstonian party found that only a very small number of the magistracy adhered to their side of politics. This was the fault, not of the system, not of the Lord Chancellor, not of the Lords Lieutenant, but of Home Rule. When a large number of people have abandoned the opinions which they have hitherto professed, and have adopted a new set which they have hitherto strenuously denounced, it is most unreasonable of them to complain that intelligent and honest magistrates have not altered their opinions at the same time. This is really what the complaint comes to, so far as regards all magistrates appointed before 1886. In the case of later appointments, it is not surprising that the great majority have been Unionists. Were any intelligent person, wholly ignorant of British politics, to be sent abroad in this country to make inquiry, and select the persons who from their public position, success in their own business, independence, intelligence, and knowledge of affairs, were best qualified for the magistracy, it would probably be found when his task was completed, that at least nine out of every ten whom he had selected were Unionists.



It is quite arguable, doubtless, that in view of the political convulsion of 1886, which left one of the great political parties of the State with such a scanty representation on the bench, it is desirable, when suitable persons belonging to that party are to be found, to show them a certain preference. The party has, unfortunately for the country, a large numerical following, and it might be satisfactory if those who adhere to them were induced to place more entire confidence in the impartial administration of justice by seeing their own political opinions represented among the magistrates. On the other hand, there is much to be said for the view that it is highly undesirable to make a political situation, which may be purely temporary, the occasion of a departure from the wholesome rule that the Lord Chancellor is to consider personal fitness only, and not political opinion, in his appointments to the magistracy. But if, as appears, Lord Herschell takes the former view, no serious blame can be attached to him, even by those who disagree with him, provided, as also appears to be the case, he has set about making new appointments, in a careful and judicial spirit, after due inquiry in each case of those best qualified to judge. Whether Lord Herschell has in all cases succeeded in maintaining the standard which he set before him and has always made prudent appointments, may be doubted. It is to his credit, however, that finding that the Lords Lieutenant had every disposition to assist him impartially in his inquiries, he took the constitutional course of consulting them. But this did not satisfy the Radical M.P.'s. They expected their nominees to be appointed in batches without any inquiry, and especially without consulting the Lords Lieutenant. Long lists of their ardent supporters, some of them men of most disreputable character,<sup>1</sup> were sent to the Lord Chancellor, with the full expectation that he would simply indorse the lists. The Lord Chancellor most properly refused to do anything of the kind, and the rage of the Radicals knew no bounds. They remonstrated with the Lord Chancellor, and having been rebuffed by him, they betook themselves to Mr. Gladstone, who snubbed them in turn. All that remained for them was to denounce the Lord Chancellor in their journals and before their constituents. The outcome of

<sup>1</sup> At a meeting of the London Liberal and Radical Union, Sir Charles Russell is reported to have said that "it was too often the case that men were sought to be put forward for the position of magistrates merely because they had been active politicians. . . . Awkward things sometimes happened, and he knew of one or two which had occurred even within a very short time. He knew the case of a man sent forward to be a magistrate, backed up by strong and earnest political influence, and it was found that man had been convicted of an indictable offence." He went on to cite another case of a political nominee who had been convicted of using unjust weights and measures.—*Daily News*, 14th November 1893.

the matter would be quite satisfactory but for the painful reflection that it is these men who keep the Ministry in power. What comfort or self-respect can a Prime Minister or a Lord Chancellor have who knows that he retains office only because the instinct of self-preservation prevents these men deserting a Government which they do not scruple to denounce? It has only to be remarked further on the question of the magistracy that the attitude of the Lord Chancellor is in agreeable contrast to that of Mr. Bryce, Chancellor of the Duchy of Lancaster, and vested as such with the appointment of magistrates in that county. The jobbery and bench-packing of Mr. Bryce were well exposed by Mr. Curzon in letters which appeared in the *Times* in the beginning of May 1893.

### THE SESSION OF 1893.

The Government took office in August 1892. The business of the session was very soon wound up, and a period of uninterrupted preparation was afforded them to mature their legislative programme for the next session of Parliament. When Parliament reassembled in the spring, a programme of work for the session was submitted to it through the accustomed medium of the speech from the Throne. The programme was not unambitious, as will appear from the list given below. When the programme was prepared, the Government doubtless contemplated an ordinary session of six or seven months in which to carry their programme out. Instead of that they have had a session extending over thirteen months, the longest session in the history of modern Parliaments. Never, therefore, had a Government less excuse for failure to carry through their legislative programme. But how does the matter stand? That appears from the following record:—

QUEEN'S SPEECH.	RESULT.
Home Rule Bill . . . . .	Passed the Commons by aid of the gag, but rejected by the Lords, to the great relief of the country.
Registration Bill . . . . .	Second reading agreed to, but no further progress.
Bill for Shorter Parliaments . . . . .	"Prompt" introduction promised, but not fulfilled.
"One Man One Vote" Bill . . . . .	Promised, but not introduced.
Employers' Liability Bill . . . . .	Abandoned by Government in a pet.
Conspiracy Law Amendment Bill . . . . .	Failed to reach second reading stage.
Parish Councils Bill . . . . .	Passed.
London County Council Bill (Enlargement of Powers) . . . . .	Promised, but not introduced.
Scots Church Suspensory Bill . . . . .	Promised, but not introduced.
Welsh Church Suspensory Bill . . . . .	Dropped after first reading.
Local Veto Bill . . . . .	Dropped after first reading.

**Railway Servants' Hours of Labour**<sup>1</sup> Passed into law by means of Unionist support.  
**Agricultural Commission** . . . Promised in January, but not appointed till September.

Thus, out of twelve measures, two only have been carried into law.

2. If we take other measures, described in the Queen's Speech as of "public utility," to which the Government were pledged, it will be seen that they also have been sacrificed in great part to the Moloch of Home Rule. Thus:—

Accidents Notification Bill.	Equalisation of Rates (London) Bill.
Bills of Sale Bill.	Pistols Bill.
Building Societies Bill.	Scots Registration Bill.
Criminal Evidence Bill.	Supreme Court Bill.
Labour Disputes Bill.	Vaccination Bill.

Every one of these was withdrawn, having made no progress after they were introduced. The fate of the Fisheries (Scotland) Bill was different. It slipped through the House of Commons "*incog.*" It was not until it reached the House of Lords that, as is shown elsewhere (pp. 303, 307), its nakedness was exposed. Then, after an unhappy struggle, buffeted, abused, and at last abandoned even by Sir George Trevelyan, it perished miserably, "unwept, unhonoured, and unsung."

3. The legislative output of thirteen months' almost continuous work is limited, as regards the Government (if we except some small departmental measures), to the

Parish Councils Bill.  
 Railway Servants' Act.<sup>1</sup>  
 Swine Fever Act, due to Conservative pressure and passed with their support.  
 Blind and Deaf Children's Education Act, due to the labours of the Royal Commission appointed under Lord Salisbury's Government.  
 Seal Fishery Act, to carry out the decision of the Behring Sea arbitration, also due to Lord Salisbury.  
 Congested Districts (Ireland) Act, supported by Mr. A. J. Balfour, whose name it bore.

Was there ever a Government which could show nothing more than this beggarly outcome of a long session? Lord Salisbury's first Ministry, though only in office for a few months in 1885, and then in a minority, produced more successful results, while the splendid crop of legislative achievements between 1886 and 1892 puts the present Government altogether to shame.

It may be pleaded on behalf of the Ministry that it is unfair

<sup>1</sup> See p. 356.

in one breath to hold them responsible for the abnormal length of the session and the barren results, and in the next to blame them for having allowed too short time for the discussion of the Home Rule Bill, and for having forced that measure through Parliament by means of the gag. But the answer to this is that the Government showed signal incapacity in their failure to recognise that a measure which remodelled the whole constitution of the nation required full and exhaustive discussion, and the undivided attention of Parliament for a lengthened period. It was folly to attempt to crowd such a measure into a mere "compartment" of a session. In adopting this course and in forcing through the Home Rule Bill as they did, the Government displayed either extraordinary levity or extraordinary inability to comprehend the magnitude of the issues involved in the recasting of the constitution of the three kingdoms.

### PARISH COUNCILS ACT.

It is necessary to say something with reference to this Ministerial Ewe Lamb. It would indeed be in accordance with the general scope of this work to give a somewhat detailed outline of the provisions of the measure. But, as these pages are written, the Bill is not finally adjusted between the two Houses, and its form changes from day to day. Moreover, the measure is so complex and highly technical that it is probably safer to leave it for the more leisurely expositions which will no doubt be issued shortly after it receives the Royal Assent, both from legal and from political sources. No more will here be attempted than an indication of the general scope of the measure.

The Act, though called a Parish Councils one, really deals with several spheres of local government. It establishes Parish Councils, alters the system of Poor-Law administration, and sets up District Councils. It is therefore in some measure complementary to Mr. Ritchie's Local Government Bill of 1888. It will be remembered that Mr. Ritchie included District Councils in his original proposals, but it was eventually found necessary to jettison that part of his Bill in order to facilitate the passing of his other large proposals through Parliament.

*The Parish Council.*—The parish is made the primary court of local administration in rural districts, and it is entirely reconstituted on its civil side, which is alone affected. The Parish Council is to be set up in all parishes having a population of more than 200. Smaller parishes may be grouped together; or in these parishes the "Parish Meeting" of all the electors may perform most of the functions of the Parish Council.

Where there are Parish Councils, these are to consist of not less than five or more than fifteen persons, and they are to be elected annually by the Parish Meeting, with a subsequent poll if required, no cumulative voting being allowed. The civil duties of vestries and church-wardens are transferred to the Parish Council with the administration of all civil charities vested in them. The election of overseers of the poor is also vested in the Parish Council. The whole machinery of the Allotments Act is transferred to the Parish Council, and powers are given to it to acquire buildings and land for public purposes, to use any water supply, to deal with certain nuisances, &c. With regard to allotments, land may be compulsorily hired as well as bought for this purpose. Without the consent of the Parish Meeting the Parish Council cannot incur expenses involving a higher rate than 3d. per £1, and in any case the rate is not to be higher than 6d. per £1.

*The District Council.*—In the towns the Improvement Commissioners and the Local Boards are converted into Urban District Councils, all plural voting and all qualifications of members being abolished. With regard to rural districts, for every rural sanitary district there is to be a District Council composed of members elected in the same way as the guardians, as described below, and one-third of whom are to retire annually. The powers of the District Council have relation chiefly to public health, highways, and the protection of rights of way and commons.

*Guardians of the Poor.*—There are to be no more *ex officio* guardians, or any qualifications for the office of guardian. The Parliamentary and Local Government Franchise is substituted for the Ownership and Occupation Franchise. Plural voting is abolished, and election is to be by ballot. Guardians are to hold office for three years instead of one year, and the number of guardians is to be fixed by the County Council.

The most serious difficulties in connection with the Committee stage of the Bill arose in connection with allotments and charities. In regard to allotments, the original proposal of the Government which gave the chief control in the matter to a departmental official has been departed from. With the support of several leading Radicals, the Conservative party, abandoning the claim for Parliamentary authorisation, by provisional order or otherwise, successfully insisted upon the County Council being vested with authority to deal with the matter. Application is to be made to the County Council in the case either of proposed purchase or of proposed hiring, an appeal being allowed from the County Council to the Local Government Board. With regard to charities, one difficulty arose in connection with parochial but non-ecclesiastical charities

vested in church-wardens and vestries. These have been transferred to the Parish Councils. A more serious difficulty arose in connection with charities for the benefit of the parish, administered by trustees other than the existing ecclesiastical or parochial bodies. The original scheme of the Government did not propose to give the Parish Councils control of these; and Mr. Fowler pledged himself to this construction of the intentions of the Ministry. He refused to accept Mr. Cobb's amendment, but he was over-ridden and set aside by Sir William Harcourt, and the amendment was inserted in the Bill. The amendment provided, that, in the case of all charities vested in trustees for behoof of the parishioners in any parish, the Parish Council should have right to nominate as many trustees as would constitute a majority of the whole. The effect of this amendment was that where any person, no matter how recently, had given a sum to trustees, to administer for any charitable purpose in the parish, the trustees chosen by him were to be virtually superseded. Notwithstanding the action of his colleagues in breaking the pledge made by him on their behalf, Mr. Fowler did not resign. His action in the matter illustrates a fine distinction between honesty and honour. Mr. Fowler was too honest to pretend that he had changed his own mind, or to try and explain away his pledge. He stuck to it that he was still of opinion that the amendment was a blot on the Bill, and that it was contrary to the pledge he had given. Mr. Fowler was honest; but, had Mr. Fowler possessed a high sense of honour, he would have resigned office, and would no longer have associated himself with the action of colleagues who had broken the pledge which without remonstrance they had allowed him to make on their behalf.

There is much in the Parish Councils Act to which objection might be taken, as, for example, the provisions which in many parishes will put the control and the levying of the rates in the hands of a non-ratepaying majority, or, at all events, of a majority who do not pay rates directly. There are other directions in which the Bill might with advantage have been modified or recast. But the feeling is widespread in the Unionist party that the House of Lords exercised a wise discretion in not forcing matters to extremities in regard to this measure. Unfortunately a large number of the electorate do not follow the outs and ins of political discussion, and, had firm action by the House of Lords led to the abandonment of the measure, advantage would have been taken of this fact, following upon the rejection of the Home Rule Bill and the withdrawal of the Employers' Liability Bill, to represent the House of Lords as opposed to all legislation sent up to them by the present House of Commons. In view of the great



constitutional part which the House of Lords is at present called upon to play in relation to the Home Rule question, it is not desirable that any opportunity should be given to Gladstonians to raise a side wind of this kind. None but the weightiest considerations would justify the House of Lords in any action that might tend to divert the attention of the country from the great problem of Union or Separation which falls to be decided at the polls.

### THE END.

The sands of Gladstone Government are running low. No generous foe can fail to admire the energy and the pluck with which, long past the ordinary span of human life, the Old Man Eloquent has continued with unabated vigour to discharge his duty to his party, and, according to his lights, to the State. Unionists believe that the appeal to the country, which cannot in the present state of public affairs be delayed for many months, will result in an emphatic condemnation of his policy and his administration. But they have no desire that the catastrophe should be precipitated, or the Home Rule cause prejudiced, by the retirement from public life of their great opponent. They recognise that if strength permits, it is in accordance with the fitness of things that he should himself submit his policy to the judgment of the country. They regard the hounding out of the old chief by the new Radicals<sup>1</sup> as one of the ugliest incidents in modern political life.

<sup>1</sup> Vide *Daily Chronicle*, February 1894.



## PART IV.

### ELECTION PROBLEMS.

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#### CHAPTER XIX.

#### DISESTABLISHMENT.

##### I. SCOTLAND.

THE Scottish Church question has recently been very fully dealt with in a Handbook prepared for the Church Interests Committee of the Church of Scotland.<sup>1</sup> It is unnecessary, therefore, here to do more than refer to that Handbook for all information that may be desired in regard to the details of the history, constitution, and statistics of that Church, its relation to other Churches in Scotland, and the origin, nature, and progress of the disestablishment movement. No more is here attempted than a brief statement of the political bearings of the controversy.

*Position of the Church.*—The Established Church of Scotland is a Presbyterian Church, as any Established Church must be in a country where 80 per cent. of the population are Presbyterians. Besides the Established Church there are two other important Presbyterian Churches—the Free Church and the United Presbyterian Church. Both these Churches had their origin in secessions from the Established Church, which, at an interval of a century between the two, were occasioned through the imposition and enforcement by the State of lay patronage of benefices, which has always been most distasteful in Scotland, where, since the Reformation, the theory has been that it is the right of a Christian congregation freely to “call” or choose its own minister. According to the standards of the Free Church, which was formed at the Disruption in 1843, it is the duty of the State to maintain an Established Church. Many members of that Church, however, whilst professing adherence to this standard, hold that under present conditions that duty cannot be performed, and that the present Established Church ought to be disestablished without any attempt being made to reconstruct the Presbyterian Churches on an Establish-

<sup>1</sup> *Handbook of Scottish Church Defence* (second edition, 1894), by Christopher N. Johnston, Advocate. James G. Hitt, 37 George Street, Edinburgh.

ment basis. A considerable section of the Free Church, however, object to disestablishment, no less in practice than in theory, though they profess to desire to see certain changes of a highly abstract, and, to many not very palpable, character, effected in the constitution of the Established Church. In the United Presbyterian Church voluntarism is an open question; the clergy of that Church, with very few exceptions, are disestablishers, but a considerable number of the laity are opposed to disestablishment. Much unnecessary mystery is made by strangers about the differences between the Presbyterian Churches, and it is often absurdly enough represented that, because it would be impossible for a worshipper to tell by the service whether he was in a Free Church or an Established Church, therefore the differences of Scottish Presbyterians pass all understanding. To those familiar with the subject, however, the differences are readily intelligible, and the sense of hopeless difficulty experienced by outsiders arises not from any real obscurity in the matter, but because the differences have their origin in past history, and cannot be apprehended without a study of history of which the stranger is generally profoundly ignorant. For the benefit of those who may experience difficulty in the matter, and who look upon the question from an Anglican standpoint, an illustration taken from the Church of England may, perhaps, make plain the nature of the difference between the Established Church of Scotland and the Free Church. In the Church of England the bishop is in theory elected by the Chapter, but in practice he is nominated by the Crown, who give the Chapter *cong  d' lire*, or leave to elect, which means only leave to elect the Crown nominee. Now it might happen that a party in the Church of England should object to this, and should insist that the election of a bishop was a spiritual act, and that the Chapter was bound to make this spiritual act a real and not merely a formal one. This party might happen to obtain a majority in a certain Chapter, and this Chapter might refuse to elect a Crown nominee, and choose somebody else. A strife might then arise, and conceivably the recalcitrant Chapter might be ordered by a civil court to elect the obnoxious nominee of the Crown, and refusing compliance might be imprisoned for contempt. Thereupon several bishops and a large number of clergy might quit their benefices, refusing to submit to civil dictation and alleged persecution, and might form an independent body, with congregations of their own, still adhering to the form of ecclesiastical government, and to all the theological tenets of the Church of England, and using the Church of England liturgy. Now there is nothing obscure or unintelligible about such a supposed course of events and consequent schism, however improbable its occurrence, and yet nobody entering a church under such conditions would be able to tell by the service

whether it belonged to the Established Church or to the seceding Church. It may be objected, however, that this illustration is imperfect, because in the case of the dissenting Churches in Scotland the occasion of offence—lay patronage—has been abolished. But in answer to this objection it is to be observed:—

(1.) If the seceding Church in England which has been figured had existed for fifty years, it would have acquired property and founded many auxiliary organisations, and would have local congregational interests and a general life of its own, which would all have rendered reunion with the Establishment matter of great practical difficulty.

(2.) Evil association with voluntaries and jealousy of the Establishment would have made many of the members of such a Church really voluntaries at heart.

(3.) There would be a strong sentimental objection to anything which might have a semblance of returning as repentant prodigals to an Establishment where the occasion of schism had really been conceded in favour of the contention of the seceders.

(4.) The seceders would, no doubt, have based their secession upon some general principle of spiritual independence broader than the incidental difficulty which really occasioned it, and although that particular difficulty had been removed, and they found no practical ground of offence in the existing Establishment, still they might object to return so long as their general principle was not formally conceded.

It is conceivable, then, that for those reasons a seceding English Church, such as has been figured, might still maintain a separate existence, after the difficulty which occasioned the secession had been removed. The relation of such a Church to the Establishment in England would be analogous to that of seceding Presbyterianism at the present day to the Scottish Establishment.

*Strength of the Churches in Scotland.*—Disestablishers have always resisted a religious census, but according to the return of the Registrar-General for 1891, being the last issued, the denomination of the officiating clergymen at marriages in Scotland was as follows:—

	Per Cent.
Church of Scotland . . . . .	45.40
Free Church . . . . .	19.36
United Presbyterian Church . . . . .	11.47
Roman Catholic . . . . .	9.62
Episcopalian . . . . .	1.82
Other denominations . . . . .	7.33
Irregular marriages . . . . .	4.00
	<hr/>
	100.00

A comparison of these statistics for the three Presbyterian Churches for the last quarter of a century shows that the Established Church is growing in relation to both, and also absolutely notwithstanding a regrettable increase in the number of irregular marriages.

	1865.	1888.
Church of Scotland . . . . .	43.10	45.40
Free Church . . . . .	27.87	19.36
United Presbyterian Church . . . . .	14.17	11.47
Irregular . . . . .	0.13	4.00

In 1892 the Church of Scotland had 604,984 communicants, being an increase of 144,520 over the number in 1873, when statistics were first collected. The United Presbyterian Church in 1892 had 187,075 communicants. The Free Church makes no return of communicants, but returns communicants and adherents at 341,359, of whom it may be estimated that 270,000 are communicants.

It may be conceded that, if every person in Scotland who is not a member or adherent of the Established Church were a disestablisher, it would be difficult for the Church to maintain that she has the support of the majority of the people. But there are many in Scotland who, though not members of the Established Church, are as strongly opposed to disestablishment as the most zealous members of that Church. This holds true of a considerable section of the Free Church, of many United Presbyterians, of almost the whole of the Episcopalians, who number 3 per cent. of the population, and of many members of the smaller denominations. The Roman Catholics, who number nearly 10 per cent. of the population, do not favour disestablishment. It has been calculated from reliable data that, setting aside the Roman Catholics and some 5 per cent. of the population "lapsed," 70 per cent. of the remainder, being the Protestants in Scotland, would vote "No," and 30 per cent. "Yes," on the issue, "Shall the Church of Scotland be disestablished?"

*Progress of the Church.*—The Church of Scotland undoubtedly suffered severely by the Disruption in 1843, when a large minority of her clergy, and probably a still larger proportion of her members, quitted her communion. It was then, and sometimes still is, claimed by the Free Church that more than one-half of the members of the Church seceded from the Establishment. This is probably an exaggeration. But in any view the contention is an awkward one for the Free Church, for it can hardly be disputed that the membership of the Established Church now outnumbers that of the Free Church by two to one. There can be little doubt that, immediately after the Disruption, even on the view most favourable to the Establishment, the

proportion was not more than three to two, and probably four to three is nearer the truth.

Since 1873, when returns were first made, the ratio of increase of the communicants of the Church has considerably exceeded the ratio of increase of the population of the country. The total increase, as stated above, in nineteen years was 144,520, being at an average rate of nearly 8000 per annum. During the last decade her increase has been double that of the Free and the United Presbyterian Churches combined.

The liberality of the Church has increased at a corresponding rate. The Church of Scotland is probably the only Established Church in the world which annually raises from her members for ecclesiastical purposes a larger sum than the whole of her other revenues. The sum so raised in 1890 was £428,558, and in 1891 it was £441,828.

For the six years ending 1877 it was	£1,925,776
„ „ „ 1883 „	2,194,309
„ „ „ 1889 „	2,321,709

These figures are exclusive of a sum of half a million given to the Church by Mr. Baird, the most splendid gift ever made by a private citizen to any branch of the Christian Church.

Since 1843, 385 new parishes have been endowed at a cost of a million and a half. Within the last half century upwards of £2,000,000 has been raised voluntarily for Church building.

The Church Magazine (*Life and Work*) has a circulation of 100,000 per month, and of the Church Hymnal, first published in 1872, upwards of 2,000,000 copies have been sold.

*Endowments of the Church.*—The total endowments of the Church from public sources is approximately as follows:—

Teinds per annum . . . . .	£240,000
Exchequer . . . . .	17,040
Ancient mortifications and payments by burghs in lieu of Church lands . . . . .	23,501
Manses and glebes . . . . .	50,000
	<hr/>
	£330,541

If the Church were disendowed on terms as liberal as the Church of Ireland, and Mr. Gladstone has admitted that “the case of the Church of Ireland was far weaker than the Church of Scotland,” the net gain from disestablishment would not amount to much more than an annual sum of £100,000 per annum. The total sum capitalised would not pay the rates in Scotland for a single year, and if, instead of capital, the annual net gain of £100,000 per annum were applied in relief of the

rates, this relief would amount to only a penny in the pound. The late Government increased the grants in aid<sup>1</sup> to Scotland by no less than, in round figures, £800,000, so that financially Mr. Goschen conferred as much pecuniary benefit upon the ratepayers of Scotland as if he had disestablished the Church eight times over.

*What the Church claims.*—The Church makes no claim to remain established contrary to the wish of the majority of the Scottish people. But she believes that a large majority of the Scottish people desire that she should be maintained, and she claims no more than that the people of Scotland should have an opportunity of pronouncing their verdict upon the question, as a sole or main issue; not as a side issue mixed up with other pressing matters. By the Treaty of Union it was expressly provided that the Imperial Parliament thereby created should have no authority to deal with the Scottish Church. The Scottish Church question was thereby withdrawn from the purview of that Parliament and reserved for the people of Scotland themselves. It would be contrary, therefore, to the faith of that treaty for Parliament to deal with this question until it has been referred as a distinct and separate issue to the people of Scotland. The opinions of Scottish members (a number of them Englishmen), elected upon general grounds of Imperial policy, throw no light upon the views of the majority of the people of Scotland upon this matter. Nothing will satisfy Church defenders in Scotland except either a general election, at which disestablishment shall be submitted as the main issue, or else a plebiscite of the people upon this question, taken apart altogether from a political election. Neither demand is large or unreasonable, looking to the importance and the irrevocability of the threatened change, and both are thoroughly in consonance with true democratic principles.

*Mr. Gladstone and Scottish Disestablishment.*—Speaking in Mid-Lothian in 1879, Mr. Gladstone said—

“ Even in the case of the Irish Church, which was far weaker than that of the Scottish Church—even in that case there was, after the subject had been raised in Parliament, a dissolution expressly upon the case. The verdict of the country was given only after a full trial and consideration, and this is what the Established Church of Scotland fairly and justly asks.”

If these words mean anything, they mean that the Church of Scotland, far more than the Church of Ireland, is entitled to “a dissolution expressly upon her case” before any measure for her disestablishment is submitted to Parliament. But what

<sup>1</sup> Including the Free Education Grant.



does Mr. Gladstone say now? In the debate in the House of Commons on Dr. Cameron's motion on 2nd May 1890, Mr. Gladstone said that the proposal of a dissolution on this question was not to be entertained for a moment, and that the case was so simple that the question of manse and fabric was the only one that would require so much as a couple of hours' discussion.

Again, at Dalkeith, on 25th October 1890, Mr. Gladstone said—

“Good heavens! . . . is there a man inside this hall, or can there be a man outside this hall, who believes it to be within the range of possibility that there can be within the next few years, or within any measurable time whatever, a general election throughout the three kingdoms which is to turn upon the question of the Scottish Church Establishment? . . . it is a proposition that is absurd.”

It appears from these passages that Mr. Gladstone now absolutely refuses to give to the Church of Scotland what in 1879 he declared that she “justly and fairly asked,” and what was given to the Church of Ireland, which did not embrace within its communion more than one-seventh of the people of that country. Are Scotsmen prepared to acquiesce in the view that their country is of less importance than Ireland, and that Scotland only ranks third amongst the kingdoms of the realm?

Addressing his constituents in Mid-Lothian in 1885, Mr. Gladstone said—

“Until I am prepared with a plan, and until I see public opinion reaching such a point that I can make myself responsible for the proposed plan, and the support of that plan, I decline to raise false expectations by committing myself to an abstract resolution. . . . I must look at my own duty in the line of my own past, and I know that if I were to vote for a resolution of that kind [Dr. Cameron's] I would be virtually making a most solemn promise to the country, and that promise I never have made, and never will make, until I am prepared to carry it out.”

Now, Mr. Gladstone did on 2nd May 1890 vote for this very resolution of Dr. Cameron's in favour of the disestablishment of the Church of Scotland. It is clear, therefore, on Mr. Gladstone's own showing, that he is “prepared with a plan for disestablishment”; that he is ready to “make himself responsible for the support of that plan”; that he has made “a most solemn promise to the country . . . to carry it out.” In the face of these declarations, it is idle for Mr. Gladstone to declare



that it is not he who is making disestablishment a plank in the platform of his party. He might as well protest that it was not he who made Home Rule for Ireland a plank in that platform.

*Suspensory Bill.*—This was a Bill which was announced in the Queen's Speech at the opening of Parliament in 1893. Its object was similar to that of the Welsh Suspensory Bill described below (p. 340). Nobody wanted it, not even the disestablishers, for the fanatical ones knew that it would be unpopular, and the more moderate ones felt that it was mean, and the Government have never yet had the courage to introduce it.

*Sir Charles Cameron's Disestablishment Bill.*—This Bill was introduced in the session of 1893 and read a first time. At Edinburgh, on 27th September following, Mr. Gladstone expressed approval of its provisions. It provided that (1) the Church of Scotland should be disestablished and disendowed; (2) the present incumbents should enjoy their stipends so long as they remained in their present congregational charges; (3) Church fabrics, manses, and glebes, should be vested in the Parochial Board, with a right of use to existing congregations so long as they kept them in repair; (4) the endowments should be applied to certain secular purposes, for nearly all of which provision can at present be made out of the rates.

The Bill, whilst it contained provisions of a certain liberality towards individual congregations, was conceived in the most malignant spirit towards the Church of Scotland, which it nowhere recognised as a Corporation, and in which no rights whatever were vested subsequent to disestablishment. In this respect it differed widely from the Irish Church Act. Under that Act incumbents were allowed to commute their life interests for a capital sum which could be handed over to the Church. There is no such provision in the Cameron Bill, which is deliberately calculated to destroy the endowed territorial system of the Church of Scotland.

*Home Rule and Disestablishment.*—The Duke of Devonshire put this matter in a word when he said—

“If you are in favour of Home Rule for Ireland, but against the disestablishment of the Scottish Church, it is for each man holding these opinions to consider whether he cares more for the establishment of a Parliament in Dublin than for the maintenance of the National Church to which he is attached.”

If Home Rule for Ireland be a wise experiment—and its best friends admit it is only an experiment—it is one that can be tried at any time. But there is only one time to save the Church, and that is the present. What would it profit the poor of Scotland that a Parliament in Dublin should arise on the ashes of their ancient Church?

## II. WALES.

The Church in Wales is not on the same footing as was the Church of Ireland or as is the Church of Scotland. It is not the Church of a separate country. The laws, institutions, and customs of Wales are the laws, institutions, and customs of England. The Crown of England is the Crown of Wales, the flag of Wales the flag of England. If England and Wales are two countries, then the Highlands and the Lowlands of Scotland are two countries. There are in Scotland a like difference of language, a much more clearly marked difference of race, and greater differences in social customs and traditions, between the Highlands and the Lowlands than obtain between England and Wales. The semi-independence of the Lord of the Isles and other northern chieftains was as great and endured far longer than the semi-independence of the Prince of Wales.

Then as to the Church in Wales. There is no such thing as a Church of Wales. The Church was not an alien Church forced upon the people of Wales. It was a native growth, but since remote antiquity, long before the complete political amalgamation of England and Wales, the Church of England and of Wales has been one. No one has expressed this more clearly than has Mr. Gladstone. Speaking in the House of Commons on 24th May 1870 he said—

“There is really no Church of Wales. The Welsh sees are simply four sees held by the suffragans of the Archbishop of Canterbury, and form a portion of the province as much as any four English sees in that province. . . . As regards the identity of these Churches the whole system of known law, usage, and history has made them completely ‘one.’ . . . There is a complete ecclesiastical, constitutional, legal, and, I may add, for every practical purpose, historical identity between the Church in Wales and the rest of the Church of England. . . . I will not say what it would be right to do provided Wales were separated from England in the same way that Ireland is, and provided that the case of Wales stood in full and complete analogy to that of Ireland in regard to religious differences. But the direct contrary of this is the truth. I think, therefore, it is practically impossible to separate the case of Wales from that of England.”

Again, on 20th July 1891, Mr. Gladstone said in the House of Commons :—

“We might really speak with as much justice of the Church of Wales in England as of the Church of England in Wales.”

This is a preliminary objection to the consideration of the question of Welsh disestablishment. To deal with a corner

of the country separately in relation to large constitutional questions, such as that of Church and State, would be to introduce a system of particularism and parochialism into national affairs which would soon lead to most remarkable anomalies and undermine the whole fabric of uniform and orderly government throughout the country. The whole movement for Welsh disestablishment is but part of a movement against all Church establishments and in particular against that of the Church of England. It is sometimes represented in an insinuating way by advocates of Welsh disestablishment that the Church of England would be rendered all the stronger by the lopping off of a weak limb. Do those who speak thus desire to see the Church of England stronger as an establishment? Hardly one of them. Do we find men who talk in this soothing fashion speaking out boldly and manfully against the disestablishment of the Church of England? Never.

*Welsh Tithes.*—The revenue of the Welsh Church from tithes has been much exaggerated. The matter is thus stated by Mr. Byrom Reed, M.P. (House of Commons, 23rd February 1892):—

“The total amount of the tithe rent charge in Wales and Monmouthshire is a little over £304,000, but at the present time it is only worth about three-quarters of its nominal value. Hence its real worth is a little over £231,000. Out of the £304,000, laymen own nearly £67,000, and the gross amount received by the rectors and vicars of Wales and Monmouthshire is a little over £154,000; but owing to the decreased value of the tithe, the actual amount received by them is under £118,000 a year.”

*The Cause of the Church's Weakness in Wales.*—For many centuries the Church in Wales was one of the most loyal and flourishing branches of the Church of England. Dissent, so prevalent in England in the seventeenth century, made no headway in Wales. The Church was fully in accord with Welsh sentiment, Welshmen filled the sees and the livings, and Welsh language, literature, and music were cultivated and encouraged by the Church. During the eighteenth century, however, a grievous blight fell upon the Church in Wales. Many of her revenues were alienated to the support of English cathedrals, her sees and her important benefices were almost invariably conferred upon Englishmen ignorant of the Welsh language. Bishops and parochial clergy were frequently non-resident, pluralities abounded, and in many parishes the emoluments of the clergy were absurdly inadequate.<sup>1</sup> It was no wonder

<sup>1</sup> So late as the year 1720 there were in the diocese of St. David's alone 37 livings under £50 a year, 42 under £40, 60 under £30, 29 under £20, 39 under £15, 57 under £10, and 29 under £5.

that under these conditions Methodism made far greater headway in Wales than in any other part of Great Britain, and that the majority of the people of Wales ceased to be members of the Established Church.

Did this maladministration and inefficiency still prevail there might be a case for the disestablishment of the Church in Wales. But the reverse is the truth. No branch of the Church of England is now more alive to her responsibilities, none is more active, and in none has recent work been crowned with more signal success.

*Progress of the Church in Wales.*—During the ten years ending 1891 there were 91,788 confirmations in the four Welsh dioceses, and there is a steady annual increase. Sixty years ago the clergy numbered 700, they now number 1450. The *Quarterly Review* for January 1890, in a remarkable article on "The Church in Wales," gives striking facts and figures respecting Church progress in each of the four dioceses. Summarising, the writer says—

"She ought to be doubly endowed, instead of an impoverished Church. . . . What she has done is marvellous. The weekly services given in her churches have increased by 100,000 in the last thirty-five years; she has added to her staff in the same period 700 additional clergy; she has expended on her buildings upwards of two and a half millions; she has increased the annual number of her confirmation candidates by thousands; she educates in her schools 46 per cent. of the children under education. Looking at the enlarged provision which has been made for her missionary work, at her prodigious efforts to meet the wants of a growing population, at the rapid multiplication of her clergy, churches, schools and congregations, it is difficult to deny that she *deserves* to exist, and unless groundless fears become the instrument of their own realisation, must necessarily continue to exist."

*St. David's Diocese.*—The progress of the Church in the diocese of St. David's is thus stated. Between the years 1841 and 1888, 97 new churches and chapels of ease have been consecrated, and 113 mission-rooms temporarily or permanently licensed. In 1888 there were 621 places of worship accommodating 128,000 persons. From 1846 to 1888, 131 parsonage houses have been built, and the number of non-resident incumbents has fallen from 174 to 7. The number of candidates at the triennial confirmations was 4352 in 1876, 7361 in 1882, and 8901 in 1891. In 1831 there were 15,799 children in the Church schools of the diocese, in 1888 there were 63,637. In 1877 the number of Sunday-school scholars was 22,911, in 1892 it was 31,155. On Easter Sunday 1877, 26,589 persons

communicated. On Easter Sunday 1892 the number was 39,326.

*Llandaff Diocese.*—The great development of population has been within the diocese of Llandaff. Here the Church's resources have been fully taxed, and here her power of expansion has been manifested. From 1849 to 1869, 108 churches were built, rebuilt, restored, or enlarged, and 52 mission-rooms were licensed. Recent Church extension has been very marked and significant. Since 1883 there have been built 16 new churches, 35 mission churches and mission-rooms, 7 new chancels and aisles, and 25 churches have been restored and enlarged, providing accommodation for 17,472 more persons. Between 1827 and 1889, 132 new parsonages have been built. The number of curates has increased 50 per cent. in ten years, being 133 in 1879, and 194 in 1889. In the quadrennial period ending 1882 the number of candidates for confirmation was 6949, in that ending 1886 it was 12,851, and in the last ending 1889 it was 16,000.

At Rhyl on October 6, 1891, the Bishop of Llandaff said:—

“During the eight years I have been Bishop of Llandaff, I have ordained 206 deacons against 99 by my predecessor in the same number of years. Seventy additional curates have been engaged in my diocese during the past eight years, and the salary of each, £120, represents an additional outlay of £8000 per annum going out of the pockets of the Church laity in my diocese. That, certainly, is a proof that the Church laity are willing to make a sacrifice for the purpose of bringing means of grace to the masses in this diocese. Upon Church buildings and restorations £230,000 have been spent during the eight and a half years of my episcopate, against £60,000 during the eight years my predecessor was in office. Cardiff alone has furnished £51,000 to supply additional accommodation for 6000 people. In the Rhondda Valley fifty years ago there were only twenty or thirty farmhouses, with a population of 200 people, whilst at the present time there is in that valley a population of 85,000. The energy of the Church has been enormously taxed by that very rapidly increasing district. The member of Parliament for that district once delivered a speech in which he stated that in the Rhondda Valley a church had been erected by a nobleman who was a Roman Catholic, who afterwards presented it to the Church of England. Now, the fact is that in the Rhondda Valley I have seen erected ten churches at a cost of £36,000, supplying accommodation for 7000 persons. . . . Another convincing proof of Church revival is to be found in the fact that during the first three years of my episcopate I confirmed 10,300 candidates as against 7200 by my predecessor, whilst during the past three years the candidates confirmed in my diocese numbered 12,400.”

*Bangor Diocese.*—Between the years 1885–1889 in the diocese of Bangor £468,523 has been raised for Church work. There have been built 27 new churches and 42 new mission-rooms, 110 churches have been built or restored, 66 parsonages have been built or enlarged, and 66 schools have been built or enlarged. Nine Diocesan Societies are maintained in active energy. The number of candidates for confirmation has very largely increased. This diocese is the smallest of the four dioceses, with a population short of a quarter of a million, and the poorest. It has only 138 benefices. Its population, number of benefices, and acreage are much less than half those of the diocese of St. David's.

*St. Asaph Diocese.*—During the last forty years the sum of £899,298 has been expended in the diocese of St. Asaph upon the building and restoration of churches, mission-rooms, day-schools, and parsonages. The number of parish churches has been increased from 148 in 1834 to 206 in 1889. In the last half-century 83 churches have been built, 35 have been rebuilt, and 112 have been restored and enlarged. From 1852 to 1889, 71 new parsonages have been built, and nearly a like number restored, the total cost being about £132,000. In 1884–5 the number of candidates for confirmation was 3748; in 1886–7 it had risen to 4173; the number in 1888–9 was 4455. The number confirmed from 1860 to 1869 was 12,193; from 1870 to 1879 was 15,437; and from 1880 to 1889 was 19,818. In this diocese there are 325 elementary schools, of which 9 are Roman Catholic, 26 British, 77 Board, and 213 Church schools. Out of the total average attendance of 32,350 there are 18,573 in average attendance in the Church schools. In 1839 there were 81 Church or national schools, not including free schools; now the Church has raised the number to 213. In 1889 the number of Sunday-school scholars was 20,604, against 15,008 in 1871. On Easter day 1892 there were 14,534 communicants, against 7575 on Easter day 1871.

At the Church Congress at Rhyl, on October 6, 1891, the Archbishop of Canterbury thus summed up the position:—

“In St. Asaph a score of years has sufficed to nearly double the number of children who attend Church elementary schools. In England and Wales the percentage of population which attends our Church elementary schools is 7.3. But in St. Asaph it is 10.3. In the same twenty years the average attendance in Church Sunday-schools has increased 37 per cent. Higher yet, the number of Church communicants has doubled in the same twenty years. Further, the number of persons confirmed in ten years past (many of them adults) is 20,000, as against 15,000 in the ten years before, and 12,000 in the ten years before that. Not only vast increase, but vast progressive increase! But the



most interesting way of testing what is the progress is this :— In the English dioceses we are well content to be able to show that in the last ten years there has been a steady increase in our numbers confirmed of 8 per cent. But in the Welsh dioceses the average increase has been—do you know what? It has been 22 per cent. These are marks of what is (we are told) a falling Church, a recognised failure, a declining hold. I would fain ask modestly—What would be marks of progress? Our business is to note progress of our own, not the deficiencies of others. But it is impossible to avoid asking whether there are similar signs of progress in the bodies which denounce us. I am most ready to be corrected if I am misinformed. But if facts are accurately reported to me, the number of resident Nonconformist ministers has, during the last five years (for which we have returns), diminished in this small diocese by twenty-four. Ninety out of its 208 parishes know no resident minister. If this be true, we think of it in no spirit of self-satisfaction. But we are bound to ask what is the living force that is prepared to be responsible for the towns and villages of Wales?"<sup>1</sup>

Whilst the progress of the Church has been remarkable, Nonconformity, on the other hand, notwithstanding the zeal, liberality, and devotion of many of its members, has been a retrograde power in Wales. Membership and the number of clergy have not kept pace with the times, and in many districts there has been an actual decrease in both. Many churches are without resident ministers. The Calvinistic Methodists are the largest dissenting body in Wales, and according to the *Goleaud*, their official organ (14th May 1891), for 1258 chapels there were only 236 pastors, and in one district with nineteen chapels there was only one pastor. The debt on chapels has enormously increased, and it is believed to be now little short of a million. It seems clear, therefore, that notwithstanding its splendid efforts in the past, Nonconformity is now proving inadequate to meet the spiritual needs of the times. There can be no doubt that this sense of failure stimulates the disestablishment zeal of the Nonconformist leaders. It was Erasmus who said, "Either the Pope must abolish printing or printing will abolish him." The Nonconformist disestablisher now realises that either he must abolish the Established Church or the Established Church will soon abolish him. What hold Disestablishment has upon the commonalty arises largely from misrepresentation in regard to tithe. Tithe has been represented as a tax imposed by the Church, which would disappear if the Church were disestablished. It need not here be pointed out that if the Church were disestablished to-morrow not one penny less of tithe would be levied than at present.

<sup>1</sup> *Times*, October 7, 1891.



The Nonconformist Churches have proved unable to overtake the necessary religious work in Wales. On the other hand, the great progress of the Established Church shows how her labours are appreciated, and how the need for her services is recognised throughout the country. In these circumstances surely it is clear that the destruction of the Established Church would be a grievous injury to the spiritual interests of the people of Wales.

*Suspensory Bill.*—This was a Bill introduced in Session 1893, read a first time, but not persevered with. Its object was to provide, that in case the Church of Wales were hereafter disestablished, incumbents appointed subsequent to the date of the Suspensory Act should have no claim in respect of the loss of their life interests in their benefices. Every argument against Disestablishment is equally applicable to this proposal, which was meant as the precursor of Disestablishment; and the Suspensory Bill is open to the further objection that it would have paralysed promotion in the Church, and that, even if the Church is to be disestablished, the fashion in which this Bill sought to deal with that ancient institution was extraordinarily mean.

*Mr. Balfour on Disestablishment.*—This article cannot be more worthily concluded than by quoting the passage in which, on 23rd February 1892, Mr. Balfour wound up his speech on Welsh Disestablishment in the House of Commons:—

“I cannot admit from the facts before me that those who desire the disestablishment of the Welsh Church desire it either upon abstract or historic grounds. They want Disestablishment because they want disendowment. Disestablishment is on their lips and in their resolutions, but what they want is disendowment. It is not reform they desire; it is plunder. Envy, not piety, is the motive of their action. Some hon. members have stood up this evening and told us that the Church would be more efficient in a condition of apostolic poverty. Do they apply the principle to the Nonconformist body to which they belong? Do they think that those Nonconformist bodies, if deprived of their endowments and of the gifts which have been given to them, would do their work more efficiently? I fail altogether to understand why poverty, which is to be so great a benefit to the Established Church, is not to be applied with an equal hand to all other denominations within the limits of the four seas. The truth is that behind this cry for religious equality lurks a great fallacy. For my own part, I should desire to see every teaching religious body prosperous, well endowed, able to carry on to the best advantage the work entrusted to it. That is the equality I desire, and in this as in other matters I also wish to see an equality between all sections of the community and all individuals, provided the equality means giving to those who have not, what they lack, and not taking away from

those that have, what they can put to a great and beneficial use. Equality, in the first sense, is a great political ideal. The desire for equality, in the second sense, is the meanest of all political passions. I cannot help thinking that sometimes those who desire to deprive the Established Church of that property which was from time immemorial given her by pious members who were of her faith—gifts which have been given ever since, down to the generation of the year in which we live—I cannot help thinking that those who desire to deprive her of these great means of public utility are perhaps unconsciously more actuated by the wish to take away from the Church that which she has than to give the Nonconformists that which they have not. Is it not true that those who desire what is erroneously called Disestablishment, but which is really disendowment, are much more interested in taking away the money which the Church has than in applying it to any new purpose? They never tell us what they are going to do with it. They never for a moment pretend that they have objects of a higher and more sacred value than the ends now subserved by those endowments. I believe their notions of equality would be satisfied if the money taken away from the Established Church were thereupon tossed into the sea. I do not say they would not prefer to use it for some other purpose, but I say that rather than leave it to the Established Church, rather than have that inequality of which they are constantly complaining, they would rather see the whole wealth of the Established Church destroyed off the face of the earth, and the clergy reduced to that position with which they think they would be able more effectually to compete with them. We must all of us have seen, in countries which have been long inhabited, fair and ancient buildings destroyed and wrecked, in order that out of their fragments might be constructed some new jerry building—some new ephemeral structure intended to meet the passing want of the moment, and we must have all felt how tragic was the fate of those ancient palaces so misused for baser purposes. Is it not the same—does not experience show that it is the same—with the pillage of the national establishment? I do not suppose in these days that the plunder would be devoted to increasing the portions of a court favourite. These ages are past. But I have no evidence that the plunder would be better disposed of. It would be handed over, I presume, a prey to the wire-puller and the electioneerer—to be squandered by the object which, for the moment, happened to tickle the fancy of the electorate of the day. The few years would pass; and the endowments made by the piety of fifteen generations would be dissipated in this and that scheme, and would leave not a trace or a rack behind, but would leave the Church for which it had been given permanently poorer for all the great objects for which she was called into being. The member for Aberdeen (Mr. Bryce) asked us whether we could permanently defend the position which we had taken up. He

told us that by giving up the Church in Wales we should strengthen the Church in England. We are familiar with that argument. I notice that it is not usually used by the friends of the Church of England. I notice that those who are most anxious for the disestablishment of the Church in Wales—those who are prepared to wrong, to get the Church in Wales disestablished—are not those who desire to see the Establishment maintained in England. I do them the credit of supposing that they know their business to the full as well as the hon. member for Aberdeen. I think—I believe in this respect I speak for every single man who sits on this side of the House, and for many who sit on the other side, when I say that the fall of the Church in Wales is indissolubly bound up with the Church in England—and I believe both the Church in Wales and the Church in England can be defended, and will be defended by this House. I admit that hon. gentlemen have had, and doubtless will have in the future, large minorities in the lobby upon this subject; but they belong to a party which is irrevocably committed to a policy by which so vast a measure as Disestablishment must be thrust further and further into the far future. They belong to a party which is committed to a series of measures which must postpone indefinitely, so far as I can see, even if the country agree to it, the serious consideration of anything so formidable as a Disestablishment Bill. But I base my conviction that the Church in England and the Church in Wales are destined, in the indefinite future, to maintain the position which they have maintained from out almost the indefinite past; for if I can interpret in any way the current of public opinion, if I am right in seeing below the surface of Parliamentary debates and Parliamentary divisions, the true direction in which the thought of this country runs, I do not think it runs in the direction of Disestablishment. I believe that men, after perhaps a long reaction, are more and more coming to the conclusion that religion is the essence of society, and that society cannot be healthy if religion perish or is atrophied. While I think I recognise that tendency and current of public opinion, I think I also see that more and more people are disposed to think that if religion be one of the great interests of society—if it be, in truth, one of the things which we should foster to the best of our ability, it is to an Established Church—not alone, but to an Established Church principally—that that great duty should be assigned.”

## CHAPTER XX.

### LABOUR PROBLEMS.

*Present Prominence of Labour Problems.*—One of the most notable political characteristics of the present day is the prominence attained by labour and social questions. Many of these questions are not altogether new. Our later statute-books, especially since the enfranchisement of the urban working classes in 1868, are plentifully studded with more or less successful efforts to regulate the conditions and the conduct of industry. With the advent, however, of the present era, the education of the working classes, their increased political power, and their vastly more efficient organisation; the frequent and protracted struggles of immense bodies of labour and capital; and last, but not least, the spread through the community of a keener and a higher sense of the duties of citizenship,—all these have combined to call attention to the claims of labour; to revive old and to develop new social and industrial problems; and to give to the demands for their legislative solution a force and a prominence which they never before attained.

*Their Inherent Difficulty.*—The solution of such problems is the most delicate and difficult task which the modern legislator has to face. His theoretical difficulties are not, perhaps, so formidable as they were. *Laissez faire* as an abstract principle is a spectre that has lost its power. But the practical dangers of interfering with any form of employment were never so great as they are now. The industrial organism is every year getting more complicated, its parts more interdependent, and itself more dependent on industrial systems abroad. A shock received in any one part is immediately communicated throughout the whole. To appreciate the effect of any act of intervention it is necessary to take into account not only a host of allied trades at home, but also the condition of foreign trade and industry. Especially is this the case with respect to many proposals that are now cropping up. Formerly practical demands for state interference related mostly to the conditions of a particular trade or employment; the more extreme of the current schemes cover the whole field of industry, and would virtually involve us in complete state or municipal socialism.

*Past and Present Attitude of the Conservative Party.*—The

Conservative party has never been slow to show its sympathy with working-class problems. On the contrary, as was clearly pointed out by Lord Salisbury in a speech at the United Club banquet in July 1891, the party has always, whether wisely or not, peculiarly identified itself with the principle of state interference in aid of industry. It did so, moreover, at a time *when there was no political advantage to be gained by it*. Let worshippers of the disinterested and philanthropic promulgators of Newcastle programmes note the fact! A great part of the factory legislation, which is now universally regarded as the most brilliant and successful example of state interference with labour, was passed by Conservative Governments prior to 1868, at a time when not one factory operative in a thousand had a vote; and all in the face of bitter opposition from the radical school, whose political creed was then summed up in the maxim *laissez faire*. The active efforts on behalf of the toilers of the nation displayed by the party in more recent times in their sanitary and educational reforms, and in many other directions, were never so marked as during their last term of office. Coal-miners, Scotch and Irish crofters, fishermen, factory operatives, and that long-neglected class, agricultural labourers, were all the objects of their ameliorative measures. There is scarcely a single important class of labour whose position the late Government did not improve. Mr. Chamberlain's statement at Sunderland, on 21st October 1891, was no more than the truth when he said—

“If you look back to our recent political history you will find that, while it has been the great glory of the Liberal party to remove privileges, imposts, limitations of every kind, and to leave the individual free to make the best of his talent and opportunities, *to the Conservative party belongs the credit for almost all the social legislation of our time.*”

(Reference is made to Chapter III. for a detailed account of the work of the Conservative party on behalf of the labouring classes.)

#### THE LABOUR COMMISSION.

*Its Appointment.*—Towards the new and more delicate class of labour problems which have lately arisen, the attitude of the Unionist party has been one of cautious, while sympathetic, inquiry. With the more general interests of labour the late Government showed its sympathy by sending delegates to the International Labour Conference at Berlin in 1890; while upon several special questions, such as the practice of “sweating,” colonisation and emigration, and the hours of railway servants, it appointed Select Committees whose reports have already

formed—or will form, should it be found expedient—a sound basis for legislation. With the recent upheavals in the labour world, and the desire evinced by social reformers practically to put the whole industrial system into the crucible, it became evident that a much more extended inquiry was necessary. The Government accordingly proposed the appointment of a Royal Commission on Labour, the terms of the reference being:

“To inquire into the questions affecting the relations between employers and employed and the conditions of labour which have been raised during the recent trade disputes in the United Kingdom; and to report whether legislation can with advantage be directed to the remedy of any evils that may be disclosed, and if so, in what manner.”

The Commission, subsequently appointed by Her Majesty, was large and amply representative of every political and industrial interest. At its first meeting it resolved to divide into three groups or committees: Group A, dealing with mining, iron, and shipbuilding trades; Group B, with transport and agriculture; and Group C, with textile, building, and miscellaneous trades. An important step was taken by Group C appointing female sub-commissioners to conduct inquiries in connection with women's industries; and sub-commissioners were also appointed to make special investigations into the condition of the agricultural labourer.

*Nature of the Inquiry.*—The terms of the reference necessarily raise the whole group of labour problems. That the Commission are fully alive to the extent and gravity of the question with which they are called on to deal, is clearly apparent from the syllabus of inquiries to be made, drawn up at their first meeting. Under the general heading of “Trade differences between employer and employed,” the syllabus groups the inquiries under four heads:—(1) Causes of the differences; (2) their development, organisation, and conduct; (3) their cost; and (4) their prevention and settlement. Under “Causes” it notes wages, hours of labour, distribution of work, apprenticeships, introduction and supply of machinery, safety and sanitation, relations of unionists and non-unionists, use of black lists, employment of foreigners, sympathetic strikes, and various other sub-headings. Under “Development and Conduct” it notes: (a) trade combinations of employers or of employed; (b) strikes and lock-outs; and (c) importation of new or foreign labour. Under “Cost” it notes economic results of strikes and lock-outs to workers, to employers, and to the community at large. Finally under “Prevention and Settlement” it notes: (a) conciliation; (b) mediation; (c) arbitration; (d) sliding scales;



(e) profit-sharing; (f) industrial partnerships; and (g) co-operation.

*Proceedings.*—The Commission has taken a very large amount of evidence, each group sitting separately to take evidence concerning the particular industries remitted to it, and the whole Commission afterwards sitting together to take evidence on general subjects, such as Co-operation, &c. Minutes of the evidence with relative digests and indices have been periodically issued. The Commission have also issued schedules of questions to employers of labour, the answers to which have been printed in a separate volume. They have also obtained, through the Foreign Office, information as to the state of labour abroad, both in the colonies and in foreign countries, which have been digested into reports by the Secretary to the Commission. The agricultural and lady sub-commissioners have also issued a number of volumes of Reports upon the evidence they have collected. Altogether the publications of the Commission already extend to over 9000 pages, and there is a good deal more to come, including the Report of the Commission itself. It is impossible to give any summary of the evidence. But reference will be made in the following paragraphs to points of special interest that have come out in the course of the inquiry.

#### THE NEW LABOUR DEPARTMENT.

*Constitution and Work of the New Department.*—One of the first acts of the President of the Board of Trade (Mr. Mundella) on acceding to office was to announce a reform which had been in contemplation for some time, and which consisted in the organisation of a new Labour Department of the Board of Trade. The superintendence of labour interests was formerly intrusted to a single labour correspondent attached to the commercial department of the Board, who issued annual reports on strikes, trade unions, &c., but the resources and staff at his disposal were utterly inadequate for the purpose. In a memorandum on the subject, afterwards submitted to Parliament, Dr. Giffen explained that the work of collecting, digesting, and publishing statistical and other information bearing on questions relating to the conditions of labour would in future be intrusted to a separate branch of the Board, consisting of a Commissioner of Labour (in general direction of the Department), a chief labour correspondent, and three additional labour correspondents (one of them a lady), with an appropriate staff. In addition to the work hitherto carried on, it was proposed to issue a paper called the *Labour Gazette*, which would digest the information obtained by the Department, and to



make special inquiries into important subjects affecting labour. For the purpose of getting information it was stated that local correspondents had been appointed in all the important industrial centres, while arrangements had also been made for the supply, through the Foreign Office, of reports on the condition of labour abroad. The Department is now in full working order. Several numbers of the *Gazette* have been issued, and important pieces of special work have been done in the preparation and issue of two reports, one treating of Agencies and Methods for dealing with the Unemployed, and the other with the question of Alien Immigration in the United States. An annual report will embody the work of the Department for the year.

*Its Importance.*—Almost every foreign Government has a Department of this kind, and, apart from precedent, there can be no question of its utility in this country. The collection and publication of statistics is one of the few things which everybody admits Government can do better than the individual, or rather which the individual cannot possibly do satisfactorily. The usefulness of the Department need not, however, be confined to this. In connection, for instance, with the establishment of Labour Exchanges (*q.v.*, p. 366) the Department may, if it secures the confidence of the workmen, exercise a most beneficial influence by promoting wise and moderate counsels in their ranks.

#### RECENT DEVELOPMENTS OF TRADE UNIONISM.

*Recent Growth of Unionism—the Annual Congress.*—Before taking up some of the special labour problems of the day it may be well to note some of the aspects of trade unionism which, although not themselves involving political issues, have an important bearing upon all labour questions. Finally freed from the taint of illegality by the legislation of 1875 (see p. 47), the unions have immensely increased in individual numbers and strength. More especially the London Dock Strike of 1889 led to the combination of large masses of unskilled labour which had before been but little organised. The last report (that for 1891) shows a total (of unions making returns) of 431 societies with an aggregate membership of 1,109,000, and an accumulated capital of £1,723,000; and it is by no means complete. But the unions are not only stronger individually and in the aggregate; combination among individuals has led to combination among societies, with the result of focussing the power of unionism, and so vastly increasing its influence on public opinion and its effective strength in industrial conflicts. Thus the annual Trade Union Congress now forms a labour

parliament whose dimensions and representative character give to its resolutions on subjects affecting the working classes an influence on public opinion which the individual societies could never have exercised. At the same time it must be kept in mind that large as is its membership, the Congress does not yet represent one-third part of the working men of the country; while its opinions, especially since the advent of the New Unionism, are those not of the average, but of the extreme, workman.

*The Federation Principle.*—Still more effective, more especially as an instrument for directly enforcing the claims of labour against capital, is the recently developed principle of federation. This must be clearly distinguished, on the one hand, from amalgamation or complete union, and on the other, from affiliation or union for merely constitutive purposes as in the case of Trades Councils. As defined by a recent writer, Federation means a union of societies on the basis of each retaining its distinct and independent identity with full autonomy in internal matters, while subject to one common control for certain limited and clearly defined purposes. The success of this principle has as yet been confined to combinations of unions in the same or cognate trades. But on these lines it has lately made great progress. The most notable example is the Miners' Federation of Great Britain, which recently practically included all the miners in England, except those in South Wales. On the other hand, similar organisations have been formed by the masters. And the result is, as in the case of the recent coal strike, very largely to widen the area, and to increase the importance and consequent injury, of industrial conflicts.

*The New Unionism.*—An important factor in the influence exerted by the trade unions has also arisen in the form of the New Unionism, characteristic of the new organisations of unskilled labour. The opinions of the leaders of these new societies are strongly tinged with Socialism, and bitterly hostile to capital, and as the unions are yet poor and have nothing to lose, they have shown themselves rash and impetuous in provoking conflicts. For the time the New Unionism has created an element of discord in the deliberations of Congress, and it has likewise made the adjustment of labour troubles much more difficult. But it is to be hoped that with years and the accumulation of a little property the new societies will find moderation at least expedient.

#### LABOUR REPRESENTATION.

*Movement for direct Representation.*—Concurrently with the transfer of political power to the working classes and their

vastly better organisation, there has arisen within recent years a demand for workmen representatives both in Parliament and on local government bodies. So far as local government is concerned, full effect has already been, or is now in process of being, given to this demand. With regard to Parliamentary representation, various obstacles bar the way to a like result. But year by year the Trade Union Congress passes resolutions on the subject: divers associations have recently been formed expressly to secure the independent representation of labour in Parliament, and the promotion of a socialistic Parliamentary programme; and at last election a very considerable number of constituencies were contested by labour candidates.

*Hitherto comparatively a Failure.*—Notwithstanding these efforts there are only five distinctively labour representatives in the present House of Commons. The reasons for this are partly financial. The Trade Union Congress has lately made strong efforts to secure subscriptions to a Parliamentary fund to be administered by its Parliamentary Committee; but these have not hitherto been successful. And this fact lends colour to the suggestion that the movement is not so widespread or sincere as its leaders represent it to be. A workman is not necessarily a popular candidate. He seems to be apt to excite jealousy among his fellow workmen. And accordingly in our self-governing colonies, where members are paid, the percentage of working class representatives is not appreciably greater than it is at home. Again, where candidates have appeared they have been handicapped by the attitude of the Gladstonian caucus, which has, whenever possible, “chevied” them out of the constituencies altogether, and when it was not strong enough to do so, has offered to their candidatures carefully veiled, but none the less distinct, hostility. In part, too, the defeat of the labour candidates is no doubt due to the lines upon which they have been run.

*Aims of the Labour Party.*—These cannot be better exhibited than by quoting the terms of the resolution of the Newcastle Congress on the subject in 1891. The resolution, after urging the united trades of the country to “seize every opportunity to select, nominate, and return labour representatives to the House of Commons,” recommends a contribution of one penny a week from each unionist to form a Parliamentary election fund—

“Such fund to be allocated to aid the candidature of a labour representative, who will support the programme laid down in its entirety . . . provided that none is given to any one who will not assist in forming a distinct labour party in the House of Commons, and will not consent to resign his seat when called upon by the Parliamentary Committee.”

*Criticism.*—To the general desire for workmen representatives, in so far as it is genuine, no exception can be taken. As long as the electorate steers clear of the pernicious tendency towards parochialism—of the disposition to secure the representation and furtherance of local or class interests to the exclusion of all others, the wider and more varied the classes from which Parliamentary representatives are drawn the better. But, unfortunately, resolutions such as that quoted above would clearly seem to show that the subordination of every other interest to the claims of labour is the very object which many trade unionists have in view. The formation of an independent labour party on these lines is entirely opposed to the best Parliamentary traditions, and would seriously jeopardise, as an independent Irish Nationalist party has already jeopardised, the system of party government which has hitherto prevailed. But more—the labour representatives are not only to be independent of party, they are to be entirely subservient to the wishes of the Parliamentary Committee of Congress, and are to resign when called on to do so. This is a position which no self-respecting citizen could honourably occupy, and were it to become the rule, the inevitable result would be the fatal demoralisation of Parliamentary institutions. But while the present disposition of trade unionism in this respect must be strongly condemned, it must be kept in mind that its representation is yet but weak, and that were it stronger it could afford to be, and probably would be, more magnanimous.

*Bearing of the Question upon Payment of Members.*—Meantime the trade unionist position has an important bearing upon the question of payment of members. It is obvious that the influence brought to bear upon labour representatives by their paymasters would be very great. There are, indeed, some representatives in Parliament at the present time who are paid by their unions, and who yet maintain an honourably independent position in their Parliamentary votes and discussions. But it is impossible to expect that so difficult a position could be maintained by a great number. In the event, accordingly, of the system of payment of their representatives by the unions becoming at all general, it might form an argument for diminishing the temptation to become mere delegates by remunerating members from national resources.

### THE EIGHT HOURS QUESTION.

*Nature and Novelty of the Demand.*—Within recent years Parliament has been freely resorted to in order to regulate and improve the conditions of labour by providing for the health, freedom, and security of the labourer. The Legislature has

even gone so far as to set limits to the hours of work of women and young persons, on the special ground that they are unable to protect themselves; and where it has done so, it has necessarily indirectly regulated the hours of labour of men in the same employment. No statute, however, has yet attempted directly and generally to regulate the wages or the hours of adult labour. The theory has been that, if the conditions of labour are once put on a satisfactory footing, it is best to leave working men to make their own bargains, and to improve their position by their own efforts; and recent economic history has proved, in the judgment of most people, that the theory is sound. Thus Dr. Giffen, in a paper read before the Royal Statistical Society in 1883, estimated that within the previous fifty years the average rate of wages had increased by 70 per cent., while during the same period the average hours of labour had been reduced by 20 per cent. Certain social reformers, however, are not content with this rate of progress. They seek to extend the principle of State interference even to this—the bed-rock of the labour question; and going far beyond the ten hours' limit already fixed for certain classes of women's labour, they demand that there shall be a legally fixed eight hours day, either for all trades or for certain classes of them.

*Foreign Precedent.*—There is practically no foreign precedent for such a demand. On the Continent, hours of labour are almost invariably much longer than those which prevail in this country. In France a law enacting a twelve hours day was indeed passed in 1848, but it has never been seriously applied. In the colonies there is a general eight hours day in practice in certain kinds of employment, but this has been secured solely by voluntary effort. There are no statutory limitations, and some recent attempts to impose them have entirely failed. The same general practice prevails in the United States. True, in certain of the States there is a legislative eight hours day, but the statutes are systematically disregarded.

*Attitude of the Workers.*—When the Labour Commission has reported, the general feeling throughout the labour world in regard to the question will be more clearly ascertained. Meantime we know that certain large classes of workmen, at any rate, are absolutely against the proposal. Thus, though mining is an industry to which it is said the proposal is peculiarly applicable, the miners of Northumberland and of Durham are against it. In both these cases the hours of labour have already been reduced below eight hours a day; and the colliers naturally regard with aversion legislation which, if it had any effect at all, would level their hours up. As regards the feeling among trade unions there has unquestionably been a considerable change within the last two or

three years. Thus, in a plebiscite taken on the subject in 1890, out of 203 societies only 33 thought it worth their while to vote, and out of these there was a majority of 46,688 against Parliamentary interference with the hours of labour. But since that year the Congress has steadily supported by a majority the principle of a universal compulsory eight hours limitation, subject to the right of any particular trade by a majority vote to exclude itself from the rule. The last vote on the subject by the Belfast Congress in September 1893 was almost unanimous to that effect. It should, however, be kept in mind that the exception stated in the resolution largely detracts from the value of the vote as a true index of opinion upon the eight hours limitation; because many who regard their own position as safeguarded by the exception may support the resolution to please their friends in other trades who wish the restriction. Still more important is it to keep in mind the warning already given, that the opinion of the Congress is *not* the average working class opinion.

*A Universal Eight Hours Day.*—A type of this most extreme form of the demand is exhibited in a Bill brought in some time ago at the instance of Mr. Cunninghame Graham. The substantive, and practically the sole provision of the Bill, was as follows:—

“1. On and after the first day of January 1892 no person shall work, or cause or suffer any other person to work, on sea or land, in any capacity, under any contract or agreement or articles for hire of labour, or for personal service on sea or land (except in case of accident), for more than eight hours in any one day of twenty-four hours, or for more than forty-eight hours in any week.”

Comment upon this is unnecessary. Figure the case of a late harvest, and both master and workman equally anxious to make an extra effort to secure the produce of a year's toil, nevertheless forced to cease work at a certain minute, because Mr. Cunninghame Graham considers it “desirable to protect the industrial classes!” The proposal stands self-condemned as a glaring piece of Radical tyranny.

The condition of society under such a law is hardly realisable. The cook would have to stop the preparation of the dinner, the waiter would fly from the table, the nurse would drop the child, when the eight hours were up. Every club and hotel would require three sets of servants. If, as Mr. Cunninghame Graham and other Radicals propose, members of Parliament were paid, there would need to be two sets or shifts, as the House often sits more than eight hours, besides committee work. The cabman would have to turn out his “fare” and



gallop back to the stable in time to unharness and stable up before his time had run. Every patient requiring constant attention would need at least three nurses. Shopkeepers who opened at nine in the morning would have to close at five, much to the astonishment and disgust of the housewife or workman who wished to go shopping in the evening. The huckster's boy or the sandwichman would be promptly "lifted" by the police if he ventured to ply his craft for eight hours and a quarter. The huntsman who had been early astir would have to abandon the hounds in full cry and gallop back to the kennels, under penalty, if he failed to get home in time, of finding a police-sergeant with a warrant there before him. Every horse would require at least two attendants, every large building two night-watchmen. No engine-driver could take a train from London to Edinburgh. Ship's crews would have to be at least doubled in number, and no vessel, however small, could put to sea without at least three navigating officers and three engineers. Fishermen setting out for a night's fishing would have to take a spare crew with them to attend to the nets and navigation when the first eight hours were up, or three crews if they were to remain out more than sixteen hours.

It may be said that the Bill quoted above is an extravagant expression of the "Eight Hours" doctrine. But such extravagance is characteristic of the language of the promoters of the movement. "An eight hours day all round,"—"a universal limitation of hours of work"—these are their usual and accredited words of style; and if these words have any meaning at all, they mean what Mr. Cunninghame Graham's Bill tries to carry into effect.

*Grounds of the Demand.*—Passing on now to consider the proposal as applied to particular trades, perhaps the best way to proceed is to examine the grounds upon which the demand for an eight hours day is based. The chief, and perhaps the most plausible, plea is based on the social ground that more leisure, both for amusement and self-culture, is the necessary result and complement of the education now so widely diffused among the working classes. The desirability of this may be freely conceded; but it is a very different thing to say that it will justify State intervention, involving vast risks in its train. In view of these risks the principle of State interference has never heretofore been admitted, and never should be admitted, in such a case, *except to protect life or health*; and neither of these considerations (subject to exceptions to be afterwards mentioned) are here in issue. The advocates of limitation further justify it on a number of economic grounds. In the first place, it is said that shorter hours will increase the efficiency of labour. This is very doubtful. In some trades, no doubt, as



in that of coal-mining in certain pits, eight hours' continuous work may be as much as is within the power of an ordinary workman. But there are comparatively few employments necessitating such continuous exertion; and in the others it cannot be said that a man cannot work as efficiently for ten hours as he will for eight. At the same time it must be noted that various witnesses before the Labour Commission have spoken to reduction of hours of labour being effected in different industries without any diminution of output. Again, it is said that shorter hours will lead to additional employment for others. This argument involves an absolute contradiction of the last, because, if the shorter hours produce, through increased efficiency, as much as before, *ex hypothesi*, there will be no room for more labour. If, on the other hand, more labour is employed for the same production, either wages must fall, or profits must fall, or the price of the article must be increased. Now workmen will not submit to a fall of wages *merely to get shorter hours*; if profits are diminished capital will be diverted abroad; and if the price of the product rises, foreign competition will come into play, and the whole industry will be endangered. Perhaps, however, the most popular argument of all, especially with workmen, is that shorter hours, by limiting production, *would* raise prices, and so increase the rate of wages. Now, apart from foreign competition altogether, the most elementary knowledge of political economy is sufficient to show that in that case one of two things must happen: either the rate of wages in the trade affected, so raised, will be exceptional—in which case outside labour will flow in to underbid it; or prices and wages must all rise—in which case the workman, having more to pay for his necessaries, will be no better off than he was before.

*General Objections to Compulsory Limitation.*—The first objection to any such measure, even as applied to any particular industry, is, that it is absolutely contrary to the whole course and spirit of past labour legislation. The aim of such legislation hitherto has been to make labour free; the essence of the new proposal is to absolutely deprive the workman of liberty in disposing of his services. His labour is in too many cases the only commodity which he possesses; and his free, voluntary efforts, in combination with his fellow-workmen, to contract for the sale of that commodity to the best advantage, and so to better his position, have made him what he is to-day. To deprive him of that liberty, and to put him under the tutelage of the State, would be an act of unwarrantable tyranny and oppression, and would sap the spirit of self-reliance which makes all classes of society progressive. Another important practical objection arises on the score of convenience. In no industry is the demand ever perfectly steady. Periods of in-

flated alternate with periods of slack trade. And it seems the very height of folly that in case of pressure and a demand to have a large contract speedily executed, the manufacturer, with plenty of men able to work overtime in order to complete it, should be manacled by a law which sternly forbids the willing man to work for the willing master. One of two results must follow. Either the master must lose his customers, or he must keep a staff and equipment out of all proportion to his ordinary requirements. It were difficult to say which course were more ruinous. A still more insuperable objection lies in the disastrous effect a measure of this sort would have on home industries, by cutting them out of the foreign markets, or by leading to the wholesale transfer of capital abroad. The mode in which it would do so, if the existing rate of wages were maintained, was pointed out in the last paragraph. The prosperity of the country depends to-day, as it never did before, on the command of these markets abroad. Deprive it of that, and all conceivable legislation on behalf of labour would be a miserable sham. No doubt hours of labour have been largely reduced in recent years, and the tendency in the great majority of trades is towards an eight hours day. But the fact that this has been achieved *gradually, naturally, and subject to the exigencies of home and foreign competition, has been the essential condition of its success*; and the very trades which an eight hours law would affect would be those in which the requirements of foreign competition have made it as yet impossible to reduce the hours, and in which, therefore, a compulsory reduction would be fatal. On the whole matter the adherents of State restriction fail to make out their case; the objections to it are insuperable; it would ruin the masters and sap the independence of the men; and, lastly, it has not been proved that the men in whose favour it is demanded really wish it.

*Exceptions: Railways—Mining.*—The rule above laid down is not, however, absolute. There may be exceptions where there is risk either to life or health, and where considerations of foreign competition do not apply. In these categories may be included the classes of railway servants and miners. Railway servants admittedly occupy an exceptional position. Various cases were recently disclosed of disgracefully long-continued hours of duty; and this is not only injurious to the men, but involves a grave element of danger to the great body of the travelling public. On the other hand, the peculiar nature of railway business, the sudden pressure to which it is frequently subjected, and the serious inconvenience and loss which are apt to result from any failure to carry out engagements at all costs, combine to make it a matter of extreme delicacy, if not of impossibility, to draw any hard and fast lines as to hours of

employment. Following out the recommendations of a Select Committee appointed by the late Unionist Government to investigate the subject, the present Government brought in a Bill which endeavoured to steer a middle course by making provision for the protection of railway servants through the intervention of the Board of Trade. It provided, that upon a representation being made to the Board of Trade by or on behalf of any railway servants that the hours of labour either generally or in any special case were excessive, the Board should inquire into the representation, and if it appeared that there was reasonable ground of complaint, should order the railway company to submit such a schedule of time for the duty of the servants as would bring the actual hours of work within reasonable limits. Failing compliance with such order or adherence to the terms of the schedule when approved of, the matter was to be referred to the Railway and Canal Commission, whose orders should be enforced by penalties. The Bill received the hearty support of the Opposition, and is one of the few completed results<sup>1</sup> of a year's Parliamentary work under Mr. Gladstone's leadership. The case of the colliers is one that merits special attention on account of the unhealthiness of the occupation, while the danger of foreign competition, if not absent, is not so acute as in other industries. In many cases, however, miners have already by their own organisations secured a day of less than eight hours; indeed, the average day for a coal-miner throughout Great Britain is considerably less than eight hours; in no case are the hours of labour extreme; and there seems every likelihood that a general eight hours day would soon be secured without any State interference. Notwithstanding this there seems, except in the case of the Durham and Northumberland miners already noted, a very strong desire even on the part of those who have already secured an eight hours day, to have it fortified by legislative provision; and a Bill brought in by the Government for this purpose passed the second reading in the House of Commons by a majority of 279 to 201. But, like the rest of the Government's measures, it has got no further. Lastly, it should be noted that in one case, viz., that of the employees of Government itself, there is a good opportunity afforded of showing an example to employers generally. In all Government workshops the general rule, subject to relaxation in the event of any sudden pressure, should be an eight hours day. This has lately been done in the case of the Government ordnance factories.

#### THE LAW OF INDUSTRIAL CONSPIRACY.

*Trade Unions and the Law of Conspiracy.*—The development of the law of conspiracy in regard to labour agitation is closely

<sup>1</sup> Railway Regulation Act, 1893 (56 & 57 Vict. c. 29).

interwoven with the growth of trade unionism. Formerly, the judges held that they had power at common law to treat any combination of labourers aiming at the increase of wages as a conspiracy against the public weal, which could be punished as a crime. These common law powers were added to by the old Combination Laws, which, however, being found unworkable, were swept away by an Act of 1824. The passing of this Act led to the growth of the modern trade unions. These bodies still, however, occupied an anomalous position. While it was open to either masters or workmen to combine for the advancement or lowering of wages, or for other purposes, such a decision as that in the celebrated case of the Dorsetshire labourers in 1834 showed that the privilege was subject to serious encroachment by the application of the old common law of conspiracy. Further, though not now prohibited, trade unions were still regarded as illegal associations to the effect of excluding them from registration under the Friendly Societies Acts. The latter anomaly was removed by the Trade Union Act of 1871, and the former by the Conspiracy and Protection of Property Act, 1875.

*Existing Law of Conspiracy.*—The last-mentioned Act, which, along with so much of the common law as it has not abrogated, is the existing law on the subject of conspiracy, provides that no combination to procure an act to be done in furtherance of a trade dispute shall be indictable as a conspiracy, if such act, when committed by one person, would not be punishable as a crime. To this general rule, however, the Act goes on to make certain exceptions by imposing special penalties in the case of breaches of contract involving failure of town water or gas supplies, or endangering human life or valuable property. A subsequent section imposes a special penalty for acts of intimidation, &c., done with a view to compel any one to do or abstain from doing any act which he has a right to do or to abstain from. The Act only applies to disputes between employers and workmen. In all other cases the common law of conspiracy still holds.

*Minor Objections to the Law.*—To this Act it is objected, in the first place, that the latter provisions imposing special penalties are invidious and should be abolished. With regard to the intimidation clause it is difficult to see the ground of the objection, because by a recent decision of the Court of Queen's Bench the meaning of "intimidation" has been limited to "threats of violence," and accordingly the offence, even in the case of a single person, would be indictable at common law. The point has recently arisen frequently through efforts on the part of unionists to coerce non-unionists, and of strikers to intimidate blacklegs, with respect to which no better or more

forcible opinion could be quoted than that of Mr. Howell, the author of "Conflicts of Capital and Labour":—

"Liberty is not lop-sided ; the freedom to combine carries with it the corresponding freedom to abstain from combining if a man thinks fit. Unionists have no more right to compel men to belong to a trade union than employers have to restrain them from joining or remaining in the union."

It was this evil product of recent industrial disputes which the Government desired to deal with in one of the sections of the Conspiracy Bill introduced this session. With regard to the other provisions of the Act of 1875, the objection is that they affix penalties to acts which are in no way different in kind from those which are expressly declared not to be indictable. But this objection misses the point, that the gravity of a crime is constituted, not by the nature of the act itself, but by its consequences. Thus, housebreaking involves the same physical act whether done by day or by night, but housebreaking by night is more dangerous to society and is punished as a graver crime. In the same way the breaches of contract provided against in the Conspiracy Act are such as are socially noxious in the highest degree. . If the Act sins at all, it sins on the side of leniency. It is perfectly lawful now for workmen to combine to stop work at the expiry of a contract ; and yet, harmless as such an action would be in the case of one person, the concerted action of all the workmen in a certain necessary trade may almost paralyse the industry of the whole nation.

*The Government Bill.*—A much larger and more sweeping objection is, however, taken to the Act, viz., that it is incomplete. It is urged that the common law of conspiracy should be altogether abolished, and that the rule laid down in the Conspiracy Act with reference to disputes between employers and workmen should, with perhaps certain statutory exceptions, be made perfectly general, viz., that no combination to do any act should be punishable, unless such act, when committed by one person, would be a crime. And this was the principal object of the Bill introduced by the Government at the beginning of the present session. The Bill was a simple one, consisting of two sections. One provided for the punishment of acts tending to breach of the peace (noticed above) ; while the other provided for the extension of the Act of 1875 to every agreement or combination by two or more persons to do or procure to be done any act, whether in furtherance of a trade dispute between employers and workmen or not. The Bill shared the fate of most of the other Government measures, and was withdrawn.

*Criticism.*—The effects of such a provision would be extensive

and dangerous. And it is difficult to see where the counterbalancing advantage would come in. Theoretically, indeed, there may be some ground of objection to the common law. It leaves much to the discretion of the judge; and it is consequently apt to be uncertain and capricious in its application. At the same time, the opponents of the common law are constrained to admit that, in some cases at any rate, acts which are perfectly innocent when performed by one person, assume, when done in combination, such a complexion that the law must be made to reach them. But, they say, such cases can be provided for by statutory exceptions. This is the point at which their argument fails. It may be conceded that it would be better to have the law clearly defined by statute; but it is practically impossible to do so satisfactorily. It is impossible to define beforehand the acts which human ingenuity to do mischief may conceive, or the forms which criminal malevolence may assume. No one, for example, before the last decade dreamt of the national scourge which might be made of the practice of boycotting. And is it to be said that society is to be exposed to dangers of this sort in order that the criminal law may be theoretically more definite?

#### STRIKES AND ARBITRATION.

*Increasing Prevalence and Importance of Industrial Conflicts.*—Strikes are no novelty in the history of British industry; nor is there any industrial struggle of to-day which—whether in respect of size or effect—will not find a parallel in past industrial conflicts. No subsequent upheaval has reached the dimensions of the revolt of labour under Wat Tyler in 1381; and current strikes are comparatively free from the injuries to life and property which characterised, for instance, the agitation against the introduction of machinery early in the century. The distinction between past and present lies in this—that whereas strikes were formerly an extraordinary remedy for an extraordinary state of matters; to-day they are part of the ordinary machinery for the enforcement of the demands of labour. They are accordingly much more numerous; while the better organisation of labour and the growth of federation both among masters and men have combined to swell their size and prolong their duration, and so to intensify the injuries which they inflict on the community.

*The Loss incurred through Strikes.*—The extent to which both capital and labour directly suffer from these industrial conflicts is strikingly shown in the Annual Reports of the Labour Correspondent of the Board of Trade. From the last report, that for 1891, it appears that in that year 893 strikes occurred, involv-



ing 4507 establishments and 295,000 workmen, with a loss of wages calculated at £1,500,000. In 1890, when the results were somewhat similar, the value of the capital laid aside in 680 establishments—only a fraction of those involved—was £32,000,000. The figures for 1892 and 1893 are not yet available, but it is certain that the struggle has been much more acute than in either of the two previous years. In 1892 occurred the Durham Miners' Strike and the Lancashire Cotton Strike, both prolonged conflicts involving large bodies of labour and capital; and even they pale into insignificance beside the Coal Strike in the Midlands in 1893, which is calculated to have directly cost the community not less than £30,000,000. The loss thus incurred is not, unfortunately, even in so far as it falls upon wages, confined to the strikers. With all the inevitable suffering which it entails both on the men and their families, it is largely borne by workmen in allied trades dependent upon those in which the conflict takes place. Still greater and more incalculable is the share which falls upon the community at large—which is equally blameless. Even as regards the strikers themselves, it must be kept in mind that often the great majority of them have no direct interest in the dispute, but strike out of sympathy with their comrades, or in obedience to their trade leaders. And, however we may condemn the advice that is given, it is impossible not to respect and admire the loyalty of the men who cheerfully face starvation in order to carry it out. All this calls loudly for some remedy; and accordingly the question has again come to the front as one of the most acute and pressing labour problems of the day, whether it is not possible to provide State or other machinery for the settlement of labour disputes.

*Causes of Disputes and Means of Settlement.*—There are at least four distinct methods of settling labour disputes without recourse to strikes: (1) Conciliation; (2) Arbitration—voluntarily resorted to by the parties, and either with or without power in the arbiters to enforce their decrees; (3) Mediation, *i.e.*, the voluntary intervention of some outsider, as in the case of the Government's intervention in the recent Coal Strike; and (4) A quasi-judicial Court with judicial powers, as in the case of the French *Conseils de Prud'hommes*. The applicability of one or other of these remedies to trade disputes seems to depend a good deal upon the cause of the disagreement. Differences may arise either from breaches of existing contracts or from questions about future contracts. The settlement of the first of these kinds, which is generally a question between the employer and a single servant, is comparatively a simple matter; it admits of ordinary judicial procedure; and the whole of the four methods may be and are successfully used. But the



second kind, which is generally a question between the employer and a large body of men, and which is the usual cause of strikes, requires much more diplomatic handling; it does not lend itself to judicial treatment; and, accordingly, the fourth method, above mentioned, is inapplicable.

*The Conseils de Prud'hommes.*—The most striking example at once of the usefulness and the limited application of a Court with compulsory powers is shown by the Councils of Experts which have long carried on the work of conciliation and arbitration in France. Consisting of an equal number of elected representatives of masters and workmen, these Courts are divided into two sections. The *Bureau de Conciliation*, consisting of one master and one workman, first tries conciliation; and if that fails the case then comes before the *Bureau de Jugement*, consisting of a president and at least four other members, who decide the point at issue as arbiters. These Courts are of great utility; they decided in 1891 no less than 60,000 disputes; and they have been more or less successfully copied by various other States. They do not, however, take cognisance of questions about future contracts.

*Arbitration already Statutorily provided for in this Country.*—There are already on the Statute-book several measures dealing with the settlement of trade disputes by means of arbitration. An Act of 1825, which replaced a number of previous statutes, provided for certain disputes being referred to two arbiters chosen, one each by the opposing masters and workmen, from a list of members of both classes nominated by a justice of the peace. Failing the referees coming to a decision, the matter is to be settled by the justices. As the Act was but seldom appealed to, an attempt was made by an Act of 1867 to establish Equitable Councils of Conciliation on the model of the *Conseils de Prud'hommes*. By this Act the Council of Conciliation, to be licensed upon petition to the Home Secretary, consists of from two to ten members, with a chairman, and has power to determine all differences set forth in the Act of 1825 which may be submitted to it by the parties. Its decrees are enforced by distress and imprisonment. Before it proceeds to arbitrate on any dispute, a small body, called the Committee of Conciliation, consisting of a master and workman, is to endeavour to reconcile differences in the first instance. A third Act of 1872 provides for the case of voluntary arbitration by enabling masters and workmen to agree to be bound by the decision of arbiters, with ultimate reference to an umpire, no license being required. The Act of 1867 expressly excludes questions about future rates of wages. The other two Acts can only be applied to such questions if the parties mutually consent.

*Feeling against State Tribunals and against pure Arbitration.*

—None of these acts has been successful, or has indeed been made use of to any appreciable extent. The British workman apparently distrusts State tribunals not only for the settlement of disputes about future contracts, for which they are admittedly unsuitable, but even for objects which they have been found to achieve admirably in the experience of other countries. So far as can be gathered from the resolutions of the Trade Union Congress, the evidence given before the Labour Commission and other sources, there seems also to be a strong theoretical objection to pure arbitration, on the ground that outsiders chosen to arbitrate have not the necessary special knowledge to solve the questions presented to them, and simply split the difference between the parties, irrespective of the merits of the opposing arguments.

*Principle of Conciliation gaining ground.*—On the other hand, the principle of voluntary conciliation is making great progress as a mode of settling differences. The Board of Trade figures for 1891 show that in that year the aggregate amount both in additions to wages and in reduction of hours of labour gained by workmen by means of conciliation was nearly double that gained through the instrumentality of strikes. The conciliating body may consist either of a Standing Board or Committee of representatives of both masters and men, or of friendly meetings of such representatives held from time to time as disputes arise. One of the most famous of such Standing Boards is that formed by Mr. Mundella for the lace trade at Nottingham in 1860, which has done much good work. It only adjusts disputes arising out of existing contracts. But the other and more important class of differences is also included in the programme of the Boards more recently instituted. One of the most influential of these is the Joint Conciliation Board in connection with the coal trade in the North of England; and in 1892 a Joint Board of Conciliation was started by the London Chamber of Commerce, an example which is being followed by all the leading Chambers in the provinces. According to the scheme of these Boards, a dispute in any trade will be dealt with by a Committee of masters and men, having practical knowledge of the particular trade; and it is hoped that the objection to arbitration stated above may thus be obviated. But in any case, the provision of means whereby the representatives of masters and men may meet together and talk over their differences will do much to promote good feeling and to prevent the misunderstandings which are at the root of the great majority of industrial conflicts.

*Recent Proposals.*—The feeling against State tribunals and against anything in the nature of compulsion materially limits the usefulness of State intervention; and accordingly a Bill

introduced by the Government during the present session simply authorised the Board of Trade (*a*) in the case of a difference arising between employers and employed, to appoint conciliators on the application of either of the parties; and (*b*) in a case where disputes are frequent and no adequate means exist for their settlement, to appoint persons to make inquiries and to confer with the parties, with the view of establishing a permanent local board of conciliation. It is important that such bodies should have the right of calling for evidence, and of examining witnesses upon oath. Whether their findings were accepted by the parties or not, there would then be in each case some reliable evidence, upon which public opinion might be formed, and which it seems utterly impossible to get under present circumstances.

*Sliding Scales.*—Finally, as a method not so much of settling as of avoiding disputes, there should be mentioned the principle of the Sliding Scale, by which provision is made for wages rising or falling automatically according to differences in prices. It seems a pity that the principle should not be more widely used; but that cannot be looked for until trade unionists see the fallacy of their position, that prices should be determined by, instead of determining, wages. In any case, Sliding Scales are scarcely a subject for legislation.

#### CO-OPERATION—PROFIT-SHARING—INDUSTRIAL PARTNERSHIP.

*Meaning of the Terms.*—The principle of co-operation affords much the most famous, and were it generally practicable, the most effectual means for preventing, as distinguished from settling, industrial disputes. Roughly speaking, co-operation, or rather co-operative production, may be defined as the system of production under which the workers are not only wage-earners, but participate in the profits, and, it may be, in the management, of the business carried on. The workmen may either themselves carry on the industry, having the whole management, and dividing the whole profits among them—which is co-operative production proper; or they may share both management and profits with the employer—which is industrial partnership; or, without sharing in the management, they may simply receive a fixed proportion of the profits—which is profit-sharing. Co-operative production thus defined, the cardinal principle of which is to give the worker an interest in profits, must be clearly distinguished from co-operative distribution, the leading idea of which is to confer benefits, not on the labourer, but on the consumer.

*Advantages and Disadvantages.*—Theoretically industrial co-operation affords a perfect solution of the labour problem by

effecting a complete reconciliation of the conflicting interests of labour and capital. It has also important effects on the workman himself. Besides stimulating to greatly increased energy and efficiency, and also to the practice of thrift, it exercises a wholesome educative influence by making him exercise his judgment upon business details, restrain for the common good any undue tendency to self-assertion, and realise that his character is bound up with the goods he makes. On the other hand, many managers are apt to bring about weak and divided counsels; and though this might be remedied by the appointment of an efficient manager, it is found in practice that workmen are not disposed to pay a salary sufficient to secure the services of the best men. Again, even where such enterprises do prosper, their very success contains the elements of decay of the principle of co-operation, because the promoters gradually take the position of capitalist-owners, and the workers who take their places are simply wage-earners. Accordingly, though co-operation has been long tried, it has never realised the expectations formed of it by John Stuart Mill and many others. Its advance has been spasmodic, and such success as it has attained has been more in the modified form in which the employer is still left in the management.

*Present Position.*—At first sight the statistics of co-operative enterprise are apt to make it seem much more important than it really is. The Congress, which is held annually, is a federation of 852 so-called co-operative societies, and 286 of these sent 645 delegates to the last meeting at Bristol. The great majority of these, however, are not productive but distributive societies, whose practice is so far removed from co-operative ideals, that they neither buy from co-operative workshops and factories, nor do they give their employees an interest in the profits. After a long struggle, however, the Congress last year passed a resolution affirming the principle of the co-partnership of labour. Meantime, within the last few years the movement towards co-operation proper seems to have experienced an important impetus. The number of co-partnership and profit-sharing businesses now at work is said to exceed seventy, the most of which have started within the last four or five years; and the amount of work produced on this principle increased during the last twelve months by 50 per cent. What may prove an important step in the history of the movement was taken last year, when the Trade Union Congress provisionally agreed to a draft scheme of a federal alliance between the twin movements of trade unionism and co-operation.

## THE UNEMPLOYED AND MUNICIPAL WORKSHOPS.

*Double Nature of the Problem.*—The problem of the unemployed, which will be found exhaustively treated in a Report forming one of the first pieces of special work of the Labour Department of the Board of Trade, is one which has of late come a good deal to the front, and which presents a very hard case for solution. This difficulty partly arises from the fact that in the unemployed are included two classes of very different origin, and requiring totally different treatment. One—the result of the conditions of modern industry—consists of regular workmen temporarily thrown out of employment by the changes of season or of fashion, or by the alternate inflations and depressions of trade: the other—the product of the growth of large towns—consists of the great body of casual labourers, who, through physical or other defects, are ever on the verge of destitution, and pass it whenever the wheels of industry slacken their pace. These classes, it is obvious, require radically different treatment. One simply wants work: for the other a much more sweeping remedial agency is demanded.

*Facilities for Employment—Municipal Workshops.*—For the first of these classes two different kinds of remedies are proposed. Want of work often arises simply from want of knowledge of where employment is to be found. At present the trade societies and the press do their best to spread information as to the conditions of employment in various parts of the country, and the same is one of the leading objects of the new Labour Department and its gazette. The establishment of Labour Registries (see next section) is also advocated as an important aid in bringing employers and workmen together. But however great may be the facilities for the employment of labour, it is inevitable that in slack times the want of demand must throw numbers out of work. A second class of remedy is urged on the ground that it is the duty of the State to provide employment for people thus deprived of the means of livelihood without fault of their own. In a case of widespread distress like the recent famine on the west coast of Ireland, the existence of such a duty on the part of the State may be freely conceded. It is also unexceptionable for the Board of Trade to issue (as was done under the late Unionist Government) recommendations to local bodies to cause public undertakings that were otherwise necessary to be executed at times when there was most labour unemployed. But it is a long step further to argue, as is now freely done by the representatives of labour, that it is the duty of the State to provide employment in all cases, and to demand the establishment of municipal workshops, work in which shall not imply the stigma of

pauperism, and in which the trade union rate of wages shall be paid. In the first place, it is doubtful how far these could be of use. The unemployed are certainly always with us; but these belong rather to the second of the classes above noted, who cannot be got to work steadily at any employment, and whose bad workmanship would make any municipal industrial enterprise exceedingly risky. And as far as trade unionists are concerned, almost all the trade societies make allowances to members out of employment. But independently of these economic considerations, it is argued—and the argument applies—whatever be the nature of the work supplied—that on social grounds any such experiment would be most dangerous. Help of such a kind differs, indeed, in various important respects from the indiscriminate Poor-Law relief which formerly did so much harm; but the assurance of something to fall back upon would have the same baneful influence in undermining self-reliance and in fostering improvidence.

*Organisations for the Relief of Distress.*—The second class of the unemployed forms part of that social residuum for which, in the nature of things, there can be no specific panacea, but which must be treated from many sides. Permanent organisations for the relief of distress exist in the form of the Poor Law (though in Scotland the law recognises no obligation to able-bodied paupers), and voluntary agencies like the Charity Organisation Society. But these can scarcely be called remedies. These are rather to be sought in indirect means such as the provision of Free Education, and in schemes like that for national insurance, discussed hereafter. Of direct schemes there are two: one, State-aided Emigration, which has been applied successfully to various congested districts; and the other, Labour Colonies, whose aim it is to train incompetent labourers into efficiency. These have been long established in Germany and Holland; and more recently they have been tried in this country under the auspices of the Social Wing of the Salvation Army and the Church Army. But in no case have the results been very encouraging. Meantime, as a first step towards more effective treatment, the members and *habitats* of these classes are being exhaustively determined by investigations like those of Mr. Charles Booth in his *Life and Labour of the People of London*.

#### LABOUR BUREAUS.

*Progress of the Movement.*—Until quite recently, as was pointed out in the previous section, the dissemination of information about the labour market was left entirely to the trade societies and the press, which also afforded the only outside means for bringing together employer and workman for the purpose of



engagement. Of late, however, under the influence of foreign models, a demand has arisen for the establishment in each district of a Labour Bureau or Registry under the supervision of the local authority; and a considerable number have recently been started, both under private and public auspices. The latest information shows at least twenty-five in operation, mostly at the instance of vestries in and around London. Of these, however, only ten are intended to be permanent. Some of these have already been moderately successful. The movement should be still further stimulated by the existence of the Labour Department with its correspondents in all the local centres of industry, the nucleus being thus already at hand for a system of provincial bureaus all connected with a central bureau represented by the Labour Department, and in connection with which Boards of Conciliation and Arbitration for the trades within their respective districts might be formed.

*Criticism.*—A scheme something like this, together with some other and more objectionable features, forms the ideal of some labour representatives. On the other hand, the opinion of many good judges is that these exchanges would be of little use; their reason being that really good men have no difficulty in getting employment through their unions, while the bad ones will not be applied for. It seems sufficient answer to the first of these objections that even the skilled organised labourers desire registries to be established. Besides, the great majority at least of unskilled workers are outside any organisation, and to them Labour Registries must prove extremely useful. There are, no doubt, formidable practical difficulties in the way. If no test of character or efficiency is exacted from the men, the institutions will be avoided by the better class of employers: if, on the other hand, the test is made too rigid, it will exclude the chronic unemployed. These, however, are rather matters for adjustment in the practical working out of the scheme, and they do not seem insuperable.

*Workmen's Ideal—The Bourse de Travail.*—It is not, however, as a mere registry that these institutions are desired by the men. The Trade Union Congress at Glasgow in 1892, passed the following resolution:—

“That in order to carry out more effectually the organisation of the large mass of unorganised labour, to bring into closer combination the sections of labour already organised, to provide means for communication, and the interchange of information between all sorts of industry, and the proper tabulation of statistics as to employment, of advantage to workers, it is necessary that a Labour Exchange on the model of the Paris *Bourse de Travail* should be established and maintained by public funds in every industrial centre in the kingdom.”



There is too much in this resolution about the organisation of labour. If this is to be the primary object of bureaux, they had better be left alone; and no more striking testimony to this could be adduced than the experience of the Paris *Bourse de Travail*, to which the framers of the resolution look as a model. A report recently contributed through the Foreign Office on the state of labour in France shows that the Labour Bureau in Paris is the centre of a system of exchanges throughout the provinces, with which most of the syndicates or workmen's unions are connected. Though instituted ostensibly to facilitate the hire of labour, and for that purpose supplied with offices and subsidies by the municipalities, they have fallen into the hands of socialist leaders, who use them for their own objects, and refuse all information to the Government Labour Department, on the ground that they have no voice in selecting its staff. The bureaux have thus become very forcing houses of social revolutionary propaganda. This experience supplies a needful warning. To serve their legitimate purpose, the exchanges must be under perfectly neutral control.

#### THE RURAL EXODUS AND POSITION OF THE AGRICULTURAL LABOURER.

*Extent and Evils of the Exodus.*—The depletion of the rural districts, and the abnormal growth of large towns, has been one of the most strongly marked features of the relative distribution of the population during the last few decades. In a manufacturing nation like ours it is, of course, only to be expected that the urban should increase relatively to the rural population; and it is only natural that there should be a steady flow from the country to reinvigorate the towns. But the current is flowing so strongly that the rural population is decreasing not only relatively but absolutely. For many reasons this tendency is to be deplored. A large rural population is the best guarantee for political stability; and the excessive migration exhausts the source from which the towns should be able to draw fresh supplies of bone and muscle and healthy physique in the future. Again, as regards the towns, the effect of the migration is to increase the already too keen competition for work, and so to push down into the social residuum many who are now on the verge of regular employment. Accordingly, no schemes are more popular than those by which it is proposed to stay the exodus. Before considering these it is necessary to get a clear idea of the causes to which this general movement of population is due.

*The Rush for the Towns a World-wide Phenomenon.*—It is

some consolation to know, though perhaps it does not improve the position of matters, that the rush for the towns is not confined to this country. Even in France, pre-eminently the home of peasant proprietors, the urban population between 1846 and 1886 increased from 25 per cent. to 35 per cent. of the whole. In the United States more than a fifth of the population is gathered into towns of more than 8000 inhabitants. But the most striking instance of all lies in the Australian colonies, where millions of acres yet remain to be cultivated. Thus in New South Wales the city of Sydney alone includes more than a third of the population of the whole colony.

*The Explanation.*—It is obvious that a phenomenon of this extent cannot be explained by “bad land laws,” nor yet by the “superior attractiveness of town life.” Towns certainly attract the brighter and more adventurous. But if there were a demand for labour in the country their vacant places would soon be filled. And the fact that they are not filled shows the true cause to be a falling off in the demand. It is a trite economic maxim that the power of consumption of, and consequently the demand for, agricultural products is limited, that for manufactured products unlimited. The introduction of labour-saving appliances has made production easy, and the labourers who are no longer required to produce the world’s food must apply themselves to minister to its other wants. Now the tendency of modern industry has been more and more to supply these other wants by a system of large production in the great centres of population. And so the transfer of population has come about.

*Special Circumstances in this Country.*—In Britain both these causes, industrial and agricultural, have been intensified. The large manufacturer has forced the small producer completely out of the market; while in agriculture not only has the large farmer replaced the crofter, but the change in the method of farming has much diminished the field of employment for labour. Foreign competition has brought about extensive changes of arable into pasture land; and large tracts do not employ one man for ten they did before.

*Remedies.*—Corresponding to this double cause of the rural exodus, there are two classes of remedies proposed. One seeks to offer inducements to the agricultural labourer to root himself in the soil by schemes for allotments and small holdings, the desirability of establishing which few deny, though the prospects of doing so successfully on a really large scale seem somewhat uncertain. The latter class of remedy attacks the industrial side of the problem. Granted that large factories are a necessity, it is not equally necessary that they should befoul our cities. Why not transplant them to the country, or at any rate to the urban

districts, where there would be sufficient light and air to breed a healthy and vigorous population? At all events, it is not necessary that the men should *live* about the grimy confines of their work, though in spite of the facilities of cheap communication the men seem to have a rooted antipathy to living far from it. In this connection it is satisfactory to note that the last census shows the great increase of population to be not in the great towns but in urban districts.

*Position of the Agricultural Labourer.*—Recently issued reports to the Labour Commission by the Agricultural Sub-Commissioners throw a very clear light upon how the agricultural labourer has fared during these changes in the population. Generally speaking, the gist of the evidence is, that his condition has greatly improved within recent years, and in the better paid districts is one of substantial comfort. The following are points about which grievances are still felt.

*Houses (Scotland).*—Dwelling-houses have been made more comfortable and commodious in recent years, but in some districts there is still much to be done. The building of cottages might be encouraged by a loan from the Treasury at a low rate of interest on the principle of the Artisans' Dwelling Act. It has been suggested<sup>1</sup> that all farm-servants' dwellings, "bothies," and sleeping apartments should be registered and be amenable (in theory they are so now) to the inspection of the medical and sanitary officers of the county, who should be bound to visit them once a year, or at any time when required; that these officers should have power to order that such dwellings be kept in a proper weather-tight and sanitary condition, well ventilated, and not over-crowded; and that in order to promote cleanliness there should be, as in registered factories, an application of certain approved rules as to white-washing, painting, washing out, &c., before a given date each year, the occupants to be held responsible for the cleanliness of the cottages, and the employers for that of bothies and single men's sleeping apartments, at the risk of a penalty to be imposed by the sheriff at the instance of the County Council. It is doubtful, however, whether public opinion among either employers or employed would tolerate the importation of so much officialism into the affairs of rural life.

*Gardens.*—It has been suggested that the proper cultivation of these might be encouraged by (1) giving occupiers of cottage-gardens compensation for crops left in the ground at the end of their tenancies; and (2) giving a claim for compensation against occupiers who depreciate the value of their gardens by neglecting their cultivation. But it is to be feared that the expense of

<sup>1</sup> Many of the suggestions referred to in the following six paragraphs were embodied in a remarkable and interesting exposition of the claims of farm-servants which appeared in the *Moray and Nairn Express* of 30th January 1892.

ascertaining the amount due in either case would be much greater than the amount itself.

*Time for Payment of Wages (Scotland).*—The present system has much to do with the existence of three evils: (1) The wandering habits of farm-labourers; (2) the extravagant prices they have to pay for articles necessarily bought on credit; and (3) feeing markets, which have not one redeeming feature about them. If the legal term for payment of wages in farm service were once a month, and if all engagements remained valid until terminated by a month's notice on either side, these three evils would rapidly disappear.

*Holidays.*—It has been proposed that in agriculture as in other industries there should be statutory holidays. There might, it is suggested, be on every farm six registered holidays every year, the dates to be fixed so as to meet the convenience of different parties. Simultaneous holidays are not for the best interests of farm-servants. Owing to the uncertainty of seasons and the necessity for constant attention to stock, the matter is one which it is very difficult to regulate by general legislation.

*Hours.*—Parliament ought not to interfere. Masters and men can easily come to an understanding as to hours and pay and the conditions of employment where both are reasonable, and if either finds the other unreasonable they had better part.

*Payment in kind (Scotland).*—It has been proposed to make it a crime for a farmer to supply anything in kind, even so much as a jug of milk, to his labourers in consideration of their services. But this proposal goes too far, and would lead to highly inconvenient results. In some districts of the country, however, men still receive more than half their wages in kind, and if they want cash they have generally to sell what they get in kind at a very cheap rate. This is not a wholesome system. It has been condemned in all other avocations, and a well-considered measure to suppress it would be acceptable to farm-labourers.

#### WORKWOMEN'S GRIEVANCES—WAGES—INSPECTION— SHOP HOURS.

*Women's Wages.*—The low rate of remuneration of women's work is one of the most curious anomalies in modern industry. In part, of course, it is due to over-supply, the market for women's labour, outside domestic service, being comparatively restricted. But even where industries are open to both sexes, it is a common thing to find women doing practically the same work under the same roof as men, for something like half the wage. The explanations usually given, viz., that women are

less regular in the work, and that unmarried have to compete with married women, who simply work for an addition to the family earnings, and have no particular wage-standard to maintain, seem scarcely adequate to explain the anomaly. Probably pure custom has a good deal to do with it. But whether that is so or not, organisation and the force of public opinion seem the only remedies. The utility of the former is apparent from the Lady Sub-Commissioners' report, recently issued in connection with the Labour Commission, dealing with the factory operatives' wages in Lancashire and Yorkshire. The latter should be reformed and stimulated by the new Labour Department.

*Women Inspectors.*—The absence of female inspectors has long been a grievance with women workers, who are naturally averse to making full complaints and explanations to men. The present Home Secretary has sought to remedy this grievance by appointing several women inspectors. The practice might be extended with advantage.

*Shop Hours—History and Aims of the Movement.*—The regulation of the hours of labour of women and young persons in shops is no new project. In 1886, following upon a report by a Select Committee on the subject, an Act—called the "Shop Hours Regulation Act"—was passed at the instance of Sir John Lubbock for regulating the employment in shops of young persons under eighteen years of age, whose hours of labour it limited to seventy-four per week. That Act was in 1892 replaced by a new one, which, in addition, provided the necessary machinery for the due enforcement of its provisions. A proposal, which was made when the Act was passed, and is still pursued, is that the provisions of the Act should be extended to women employed in shops.

*Merits and Defects of the Proposal.*—There is in the Factories and Coal Mines Acts ample precedent for interfering with women's hours of labour; and the occupation is one to which for various reasons regulation is peculiarly suitable. All the work of distribution could easily be performed by existing agencies in a much shorter time than at present; and no objection can therefore be stated on the ground of limiting productive power. Moreover, a shop-keeping trade is so easily diverted that a very small and insignificant minority can effectually prevent all change though favoured by a large majority. Again, the report of the Select Committee shows that in many cases shopwomen are employed eighty-four or eighty-five hours a week, though there is no medical or other testimony to prove that in consequence they suffer any extensive injury to health or otherwise. On the other hand, there are exceptionally strong drawbacks to the proposal. The Act would necessarily lead to the earlier closing of shops in which women are employed, to the benefit of those

worked by shopkeepers' own families and those worked exclusively by men assistants; and this result would be most prejudicial to the employment of women, and might lead to their total displacement from many occupations. The result is that many people are in favour of the compulsory closing of all shops at a certain hour. This, however, seems rather too drastic a remedy to find acceptance, and the case seems rather one for the action of public sentiment and for the combined efforts of shop-assistants themselves, which have already been instrumental in securing fixed holidays and other benefits. At the same time, it must be admitted that the necessity for the labouring classes making their purchases after working hours must make it a matter of very great difficulty to establish early closing in poor districts.

#### NATIONAL INSURANCE.

*Nature of the Problem.*—In a single sentence, the aim of national insurance may be roughly defined as the provision, whether voluntary or compulsory, under State auspices, for old age, sickness, and other contingencies, with a view to the ultimate elimination of pauperism, and the extinction of the present system of Poor-Law relief. Properly speaking, both this and the following as well as some of the previous questions should be classed as social rather than as purely labour problems. In all, however, the primary consideration is economic, and the leading interests involved are those of labour.

*History of the Movement.*—Though the subject was mooted as early as the end of last century, the pioneer of the present agitation was Canon Blackley, who promulgated his scheme of compulsory national insurance in an article contributed to the *Nineteenth Century* in 1878. In 1885 a Select Committee was appointed to consider the subject, and its report, presented in 1887, dismissed Canon Blackley's scheme as impracticable. This only led to the production of a number of new schemes by different people, framed with the object of meeting the objections of the committee. Finally a voluntary committee of members of both Houses was formed in 1891 to consider the various proposals, and as a result of their efforts a scheme embodying a compromise between the various plans was sketched by Mr. Chamberlain in the *National Review* for February 1892. The scheme also formed a leading feature in the programme of labour legislation submitted by the same statesman in the *Nineteenth Century* on November following; but in view of the inquiries being made by the Poor-Law Committee, mentioned in next section, it is in the meantime being kept in abeyance.

*Foreign Influences.*—The movement has throughout received



a strong impulse from the carrying out of the scheme of Bismarckian socialism in Germany. Insurance against sickness was there made compulsory by the Act of 1883, against accident by two Acts of 1884-85, and against old age and invalidity by the Act of 1889. The latter Act only came into operation on 1st January 1891, and it is somewhat premature as yet to judge of its results. Schemes of a less extensive character have likewise been started in various other continental countries, more especially in Denmark and Switzerland.

*Data of the Problem.*—According to a Parliamentary return moved for by Mr. Burt, the number of persons in England and Wales over sixty-five years old who were in receipt of Poor-Law relief on 1st August 1890 was 245,687. Proceeding upon these figures, Mr. Charles Booth calculated that one out of every four in the whole population who reach the age of sixty-five becomes a pauper. The accuracy of this conclusion was questioned upon two grounds—first, that the Poor-Law returns afforded no means of determining the number of those relieved over a whole year, the figures for which had accordingly to be arrived at by guess-work; and, second, that the returns did not distinguish those who were merely in receipt of medical relief. This, however, has now been remedied by the returns for 1892, the result of which is practically to confirm Mr. Booth's calculations as to the gross figures, and to show that the specialty of simply receiving medical relief only applies to six per cent. If members of the richer classes are eliminated, the ratio of paupers to population in the case of those over sixty-five will probably be increased to not less than one in two, and eight-ninths of these have never become chargeable till they reach the age of sixty. This indubitably shows that a vast number of deserving and unfortunate, as distinguished from merely idle or vicious, wage-earners are forced in old age to join the ranks of pauperism. Of these, the female outnumbers the male element in the proportion of two to one; and the claims upon society of women who often spend lives of invaluable citizenship without the power of making any provision for themselves are especially strong. Poor-Law relief costs England and Wales between eight and nine millions a year, and a large part of that sum must be placed to the credit of aged and infirm paupers.

*To what Extent existing Agencies provide a Remedy.*—The remedy of this state of matters is at present left to two agencies: one a strict administration of the Poor Law, the other the action of the voluntary thrift societies. The former is discussed in the next section. Suffice it to say here that it is difficult to see how any administration could better those the cause of whose degradation is innocent misfortune; and that is the very class who most deserve assistance. Referring now to



the voluntary thrift societies, it is impossible to gainsay their immense increase among the labouring classes. According to the report for 1890 of the Chief Registrar of Friendly Societies, 7,500,000 members, with £21,820,000 of funds, "may be safely deemed minimum figures for the registered societies of England." In addition to these there is a very large number of unregistered benefit clubs and societies; and it is urged that these afford all the necessary means of promoting national thrift. In answer to this, objection is taken, first, to their solvency; and, second, to their capability for providing, at any rate, for old age pensions. As regards their financial condition, the best that can be said for them is, in the words of the Registrar's report, that they are now "struggling towards actuarial solvency." The other objection is still more formidable. Extensive as is the work done by these societies in sickness and accident insurance, their own officials admit that even where these tables are constructed for the purpose, their success in the department of old age insurance has been practically *nil*, though, from a paper contributed by Mr. Holloway to the *National Review* for March 1892, it would appear that in some cases the difficulty has been overcome by slumping together all three forms of insurance. The true explanation seems to be that working men are unwilling or unable to pay the necessary premiums. Old age is contingent, and working men dislike sinking their hard-earned shillings on a contingency. The more provident among them prefer to try and save up their money, so that if they die before reaching old age it shall not be lost. Others, again, seem unfortunately to be incapable of the necessary self-denial to save anything at all. Hundreds of thousands of working men live in decent comfort on from 20s. to 25s. a week, but hundreds of thousands more who have from 25s. to 35s. a week save not one penny. It seems curious that, so far as thrift of this kind is practised at all, it is in connection, not with the friendly societies proper, but with the older trade unions, whose friendly benefit systems were quite a secondary consideration at their start. One of the largest and wealthiest of these—the Amalgamated Society of Engineers—last year spent no less than £47,000 on superannuation allowance alone; and the *Labour Gazette* is now publishing lists of many other trade societies which are doing good work in the same direction. A weird feature of the problem of industrial insurance is the extraordinary zeal of the poor in insuring against burial. Millions of people in this country make the most anxious provision against *dying* at the public expense, who are content from year to year to make no provision against some day *living* at the public expense. Perhaps the reasons are that death is certain, old age contingent, and that a very small

weekly or monthly payment keeps up a funeral policy. Moreover, no self-respecting person likes to consider himself as utterly improvident, and subscribing to a burial society is the cheapest way of making believe to be provident. These payments are generally so small that where the society is run upon purely business lines the expenses of collection are enormous in proportion to the amounts collected; and this forms a very serious evil in the collecting societies, as distinguished from the friendly societies proper. Most of the older trade societies and friendly societies proper are, however, well managed, they help to keep before the popular mind the duty of looking to the future, they do something to mitigate the squalid surroundings of mortality, and their inadequacy is not in the main the fault of either their methods or their management. The question is whether the State should force, or, by means of a subvention, can induce, any appreciable number of the working classes to make provision against more important, if more problematical, contingencies than those which the societies meet. In any event, the strength of the societies makes it an essential condition of the success of any scheme that it should, if it does not receive their active support, avoid their hostility. For this reason the more recent proposals have, to avoid trenching on the societies' field of work, confined their attention to old age pensions.

*Schemes now before the Country.*—There are now practically only two schemes in the field. That of Mr. Charles Booth, which simply proposes a payment by the State of 5s. a week to all persons reaching the age of sixty-five, may be dismissed in a sentence. Its cost, which for the United Kingdom on the present basis of population would be 24 millions, or, allowing a rebate of 3 millions for diminished poor rate, 21 millions, a year; the discouragement it would give to voluntary thrift, and the total want of any distinction between deserving and undeserving poor—all alike condemn it. The other scheme is that of Mr. Chamberlain, already referred to. His scheme is voluntary, and only applies to old age assurance, providing a pension of 5s. a week to men and 3s. a week to women, after sixty-five years of age. This is to be provided for by a payment of £5 and £2 respectively before the age of twenty-five, to which the State adds treble the amount, and an annual payment of 20s. and 8s. a year thereafter. If insurers die before reaching sixty-five, the amounts they have contributed will go to their representatives; and there is also provision made for widows and families. The goodwill of the societies is sought by the provision that the Government subsidy will be paid equally to those insured with them.

*Objections and Difficulties.*—The objection to State interfer-

ence as such has, of course, no application to this matter. We have already State interference of the most socialistic nature in the present Poor-Law, and national insurance is simply a substitute for it. Nor is much importance to be attached to the theoretical argument that a State provision would necessarily weaken the force of social obligation by rendering the old independent of the support of their offspring. By the time parents are indigent their children have generally families of their own; and any little pension which the parent might have would be not only an acceptable, but almost a necessary, condition of his entry to the child's home. Equally inapplicable are the more practical arguments that might very properly be used against a compulsory scheme on the grounds of the expense of administration, the irritation it would excite among the contributors, and the impossibility of exacting the necessary payments from the large class of casual labour, for no compulsory scheme is in the field. The main difficulties of such a scheme as Mr. Chamberlain's are three: 1st. Is it safe for the State to guarantee the pensions of those assured with voluntary societies which are in a doubtful financial position, and over which the State is to exercise no control? 2nd. Are any considerable number of those who at present join the ranks of pauperism able to pay the premiums which such a scheme demands? and 3rd, Even supposing they are able, is the Government subvention offered sufficient to induce them to make payments for a contingency so remote? The increasing practice of thrift in other forms seems to offer at least some encouragement to the success of such a scheme.

*Additional Data Necessary.*—Before the discussion can be much further advanced additional information will have to be obtained on various points. 1. The amount of existing pauperism and the sources from which it is drawn. The existing pauper statistics were very unreliable, but are now being improved. 2. The extent to which, under guise of sick payments, old age is already provided for by existing societies. As already stated, the Labour Department is now publishing some important information upon this point. 3. The sufficiency of the proposed premiums in view of the extraordinary claims proposed to be allowed. The whole subject of old age pensions is now being investigated by a Royal Commission appointed during the present session.

#### POOR-LAW REFORM.

*The Government Commission.*—The question of old age pensions, it will be apparent from the foregoing discussion, is closely related to that of the administration of the Poor Law, and accordingly the Commission now sitting have been appointed

to consider whether any alteration in the system of Poor-Law relief is desirable in the case of persons whose destitution is occasioned by incapacity to work through old age, or whether assistance should otherwise be afforded in these cases.

*The Existing System and its Results.*—The existing system of administration of the Poor-Law is founded on the legislation of 1834 (Scotland 1845). Prior to that the indiscriminate granting of outdoor relief had gone far to pauperise the entire working-class community in England, and as a remedy for a state of matters which had become unendurable the principle of the workhouse test was introduced, outdoor relief being only authorised in exceptional cases. Local bodies have, of course, varied in their interpretation of the administrative orders issued by the central authorities—the Local Government Board and (in Scotland) the Board of Supervision; but, on the whole, relief has been strictly administered, and pauperism has much diminished. Thus taking the figures for paupers receiving relief of any kind on a particular day, and excluding lunatics and vagrants, the proportion of paupers to population fell in England and Wales from 4.3 in 1861 to 2.3 in 1891, and in Scotland from 4.1 in 1868 to 2.2 in 1891. Though the numbers have thus decreased, they are still, however, sufficiently grave, the return for 1892–93 (which was the first to give the figures for pauperism at one time and another during the year) showing that 1 in every 18 of the population had received relief during that year.

*Movement for more Stringent Administration.*—In these circumstances two reforms of an exactly opposite nature are advocated—one tending to a stricter and the other to a laxer administration of the law. The former, supported by Mr. Loch of the London Charity Organisation Society, proposes to restrict relief almost entirely to indoor maintenance, *i.e.*, to the poor-house. This policy has been successfully applied, without increasing the number of indoor paupers, in some English unions and parishes; and as outdoor paupers form nearly three-fourths of the total, it is evident that the general adoption of such a policy would greatly reduce the gross numbers. On the other hand, it is urged that the results so far secured in this direction have been due to the unremitting exertions of exceptional men, whose services cannot always be obtained, and that without such men such results could only be secured by excessive harshness of administration, which would be certain to excite public feeling and produce a dangerous reaction in the opposite direction. Besides, it is said, the effect of such administration, even if successful, would merely be to push pauperism back into a mass of unrelieved poverty; and such a process, though it may relieve the pockets of the tax-payer, cannot be looked

upon as a final and satisfactory remedy. But there seems to be no reason why, in default of a pension scheme, private charity, if properly organised and directed, should not, so far as necessary, take the place thus vacated by the State.

*Movement for Relaxation of Workhouse Test.*—From the opposite extreme comes the demand for some relaxation of the present administration of the law. The present system necessarily presents instances of hardship. But hard cases proverbially make bad law, and still worse administration. In any case, all experience has gone to confirm the opinion of the Poor-Law Commission of 1834, that "the first and most essential of all conditions (of relief) is that the situation (of the person relieved) shall not on the whole be made really or apparently so eligible as the situation of the independent labourer of the lowest class." Even in the case of the aged, for whom the privilege of outdoor relief is chiefly claimed, the departure from the workhouse test would have wide and far-reaching effects on the thrift and independence of the working classes, and should not be risked until some serious attempt has been made to remedy the present hopelessly chaotic and indefensibly wasteful and pauperising system of unorganised private charity.

#### FOREIGN IMMIGRATION AND THE SWEATING SYSTEM.

*Rise and Nature of the Problem.*—Two recent phenomena have combined to render the question of foreign immigration one of first-rate importance to the country. The first is the recent attitude of Russia towards her Jewish population—an attitude that is rapidly leading to its dispersion and exile. The other is the attitude taken up by the United States to the whole subject of immigration. By the legislation of 1885 that country has prohibited the introduction of foreign labour under contract, and by the still more stringent Act of 1891 it has absolutely forbidden the voluntary immigration of pauper aliens. Besides throwing back upon Britain a large foreign element which would naturally have found its way to the new country, the action of the United States in itself has inevitably raised the question whether this country can afford to dispense with precautions which a new country, with resources still unexhausted, finds itself compelled to adopt. The problem connects itself closely with that of the much-abused sweating system, the victims of which, it is said, are largely recruited from the stream of foreign paupers that is annually discharged upon our shores. Put shortly, the questions raised by such immigration are, in the words of a recent writer on the subject, as follows:—

“Are we or are we not being seriously injured by large importations of foreigners, willing to work legally, honestly, and quietly it may be, but for considerably less wages than our own people do work for, and indeed can work for, consistently with our ideas of subsistence? And if we are being so injured, ought we to do anything to stop the injury? And if we ought so to do, what should the particular remedial steps be?”

*Extent of Jewish Immigration.*—To answer the first of these questions it is necessary to examine the extent to which alien immigration is taking place, its character, and its effect upon home labour. The movement is confined to a very large extent to Jews from Russia and Poland, who are almost invariably in a condition of destitution on their arrival. It began with the Russian persecutions of 1881–82, and has continued up to the present time, with the result that large settlements of Jews are now established in all our great cities. In 1889 Mr. Charles Booth estimated the Jewish population resident in London at from 60,000 to 70,000, of whom a half had been born abroad; a report from Manchester shows a population of 15,000 to 16,000 Jews (mostly Polish) in that city; and from other places come similar statements. There are no means of ascertaining accurately the annual arrivals, but Mr. Charles Booth estimated the average annual influx to London from 1886–89 at 4000. Since then the tide of immigration has ebbed and flowed from year to year. During 1892, to which the latest figures refer, the prevalence of cholera considerably interrupted the stream of immigrants coming from Hamburg, the line usually taken by the pauper Jewish element; but even in that year the Annual Report to the Board of Trade states that the number of destitute alien Jews who apparently came to this country and did not proceed further would seem to have been about 5000, of whom about 3000 came to London.

*Its Effect and Connection with the Sweating System.*—The destination of these pauper immigrants is undoubted. They at once go to swell the crowd of casual labour. There is as little doubt that it is the needs and necessities of this class from which the sweating system takes its rise. That system, in the opinion of the Select Committee who reported on the subject in 1890, is due to no particular method of work. Its characteristics are small wages, long hours, and insanitary surroundings; and its causes, of which they name various, all practically resolve themselves into the pressure of competition of workpeople with a low standard of comfort. The committee are inclined to under-rate the special effect of the alien invasion on this system. They remark that “too much stress has been laid upon the injurious effects on wages caused by foreign immigration.” This opinion is, however, immediately followed by a qualifica-



tion in the case of certain trades; and it seems impossible to avoid the conclusion that the crowds of needy foreigners do most materially and prejudicially affect the labour market. Some most reliable witnesses before the committee vouch for the fact that in certain districts they have to a great extent supplanted native labour. The evil, however, lies not so much in this fact as in the standard of living which they introduce. As Mr. Charles Booth says in his "Life and Labour":—

"The Jew is accustomed to a lower standard of life, and, above all, of food, than is possible to a native of these islands: less skilled and perhaps less strong, but in his way more fit, pliant, adaptable, patient, adroit."

As soon as he arrives he joins the ranks of the "Greeners," who form the most congenial material of the sweating system. He does not indeed remain there long, but, as Mr. Booth points out, generally manages to make his way upwards. And this fact perhaps accounts for the way in which his influence in lowering the labour market is underrated. But the point is that although these foreigners *do* make their way, fresh drafts are constantly arriving to take their place at the bottom of the social scale. And thus there is established an ever-changing—yet permanent—layer of society with practically no standard of comfort at all. Now all social reformers are agreed that the want of a sufficient standard of life is what lies at the base of the social question, and of the sweating system in particular. So long, therefore, as this stream of pauper aliens keeps perennially flowing in, so long—unless its importance has been grossly exaggerated—will all efforts to raise the residuum of the population in some, at any rate, of our large cities be comparatively futile.

*Prospective Increase of Immigration.*—If this has been the case to any appreciable degree in the past, it is impossible to contemplate the future without the most serious apprehensions. In consequence of the recent regulations put in force by the Czar, something like *five millions* of Jews are looking out for a home. The United States is closed to them, so are Canada and most of our Australian colonies, even had they the power to go so far. Baron Hirsch's scheme, large as it is, cannot deal with numbers like these; the only result can be a vast inrush into this country, with consequences the most serious.

*Remedies.*—A minor remedy consists in the regulation of the sweating system. The late Unionist Government did so in terms of the recommendation of the Committee on Sweating by providing in the Factory Act of 1891 for the inspection of domestic workshops, which were put under the same regulations as factories and public workshops. It should also be



noted that on the initiative of Mr. Plunket, First Commissioner of Works in the late Government, precautions are now taken that no Government contract gets into the hands of sweaters, while in many public bodies it is a recognised rule that in all contracts a clause shall be inserted insisting on payment to the workers of fair wages as recognised by the trade unions, and on the observance of such hours and conditions of labour as are customary in the trades concerned. It is doubtful, however, how far any regulation of the sweating system will stop the stream or lessen the evils of foreign immigration. The only effectual mode of doing so is by direct prohibition. What, then, are the objections to it?

*Objections to Prohibition of Foreign Immigration.*—The first that may be noticed is the legal or constitutional difficulty. Magna Charta confirmed to all foreign merchants sure and safe conduct to come into and depart from England; and in accordance with that provision it has frequently been declared that Acts providing for the expulsion of aliens, even in war, were in direct violation of constitutional law. So it was urged against the Alien Acts of 1793, 1815, 1816, and 1848; but in each case the opposition failed. The provision of Magna Charta was directly negatived by the restrictive legislation of the Plantagenet and Tudor dynasties, and in the words of a recent writer—

“Taking the statutory history from first to last, the conclusion it leads to is rather that . . . national interests are, and ever have been, in the history of our country deemed the superior call.”

Perhaps a more popular argument against prohibitive legislation is one which rests chiefly on sentimental considerations. England, it is said, has ever been an asylum for the persecuted and oppressed, and it would be a grave breach of national hospitality to close our doors against the victims of foreign tyranny. With reference to this argument it must be kept in view that the present case involves no political considerations. It is not proposed to interfere with the principle that this country will always afford an asylum to political refugees; and surely if sentimental considerations are to have any weight, they should lean to the side which seeks to avert a great and pressing danger from a section of the people who are least able to protect themselves. International comity is desirable by all means, but a nation's first duty is to itself and to its own citizens. Then there is the economic argument that legislation on the lines proposed would virtually be a return to the policy of Protection, which the country has long since discarded. The opponents of prohibition also point out that in the past, especially in the

religious persecutions which followed the Reformation in France and Flanders, and still more after the Revocation of the Edict of Nantes in 1685, England derived the greatest possible benefit from the foreign tradesmen whom she received. The illustration, however, is not in point. The Huguenots and Flemings introduced new industries; the Jews have none. The economic objection also fails in an essential condition. If free competition were possible, the native labourer might have to take his chance; but *ex hypothesi* the standard of life of the Jewish immigrant is such as to make competition with him on equal grounds not only extremely undesirable but impossible. The strongest objection to the proposed legislation is the purely political one, that it involves an excessive application of the principle of State interference. This, of course, is ever a matter of degree, to be measured against the amount and the probability of the benefit to be achieved. But however great the relief in the present case would be to native labour, the remedy is too drastic to be faced without serious misgivings. Even putting the proposal on its strongest ground—the prevention of gross deterioration in the condition of unskilled city labourers—it goes much further than any previous legislation. There are plenty of prohibitions on the Statute-book designed to protect life and health, but none whose object is simply to preserve a social standard, which is what the proposed legislation would amount to. In spite, therefore, of the examples of the colonies and the United States, the danger to the State must be more fully proved than it has been, before the country resorts to the drastic remedy of prohibition. These observations do not apply to paupers, *i.e.*, to men or women not able-bodied on being landed, and who at once become chargeable to the relieving officers. These should be sent back at once whence they came.

#### EMPLOYERS' LIABILITY.

*Existing Law.*—At common law a workman, compared with an ordinary member of the public, stood in a very unfavourable position in regard to obtaining compensation for injuries from his employer. To the public an employer was, and is, liable for injuries caused either by his own negligence or by that of his servants. His employees, on the other hand, were supposed to take the risk of neglect of duty by their fellow-servants. To them the master had no "secondary responsibility;" and, while he was liable to them for his own negligence, he was not liable for injuries caused by the fault of another servant, however responsible the position of that other servant might be. To remedy this state of the law, the Employers' Liability Act was

passed in 1880. The Act did not, as regards the right to compensation, put the workman on the level of a member of the public, but adopted a middle course by, roughly speaking, making the master liable where the fault was that of a person entrusted with superintendence, while leaving the law on the old footing where the fault was that of a servant of the same rank as the injured workman. It made an exception, however, in the case of railway servants, and granted them a right of recourse against the employer, whatever the grade of the person in default. The Act did not apply to seamen, agricultural labourers, clerks, and domestic servants. The compensation recoverable under the Act was limited to the estimated earnings for the three years preceding the injury, of a person in the same grade of employment in the same district, and a failure to give notice of an intention to claim under the Act barred the right to compensation. The Act was to remain in force from 1st January 1881 to 31st December 1887, and it has since been renewed from year to year.

*Alleged Defects and Government Bill.*—The following objections have been urged against the Act. 1. It is said that the Act does not go far enough, and that it should have abolished the doctrine of "common employment" altogether by putting not only railway servants, but all employees, on the same level as members of the public. 2. It is urged that the Act should be made to apply to all classes of workmen, including seamen. 3. It is also objected that the amount recoverable as compensation should not be limited to three years' earnings, but should be assessed as at common law; and 4. that the right to claim should not be dependent upon giving notice. 5. Lastly, the Act does not prevent masters from contracting themselves out of its provisions, and it is urged that they should have no power to do so. A Commission was appointed, which reported upon the subject in 1886, and since then various proposals for the amendment of the Act have been brought forward from time to time. Early in the session of 1893 the Government brought in a new Employers' Liability Bill, practically giving effect to all these contentions. In its original form the Bill excluded compensation in the case of the workman being guilty of contributory negligence; and in the event of the employer having contributed to a workmen's benefit fund, it provided that if a workman claimed compensation under the Act, the employer should be entitled to any money payable from the benefit fund. It further expressly excluded domestic servants from the operation of the Act, and restricted the right of removing actions from the County Court, in which it was necessary to originate them, to the High Court, to cases where the amount claimed exceeded £100.

*Objections.—Insurance against Accidents.*—The leading feature of the Bill, the abolition of the doctrine of common employment, was favourably received by both parties; but an important criticism was, on the second reading, directed against the Bill by Mr. Chamberlain, not because it involved a change of the law, but because it failed to go far enough. Inquiries made in Germany, under the industrial insurance system there, showed that out of every 100 accidents that happened only 19.7 per cent. were directly attributable to employers or fellow workmen; 25.6 per cent. were attributable to the injured workmen themselves, and 7.7 per cent. to both; while 46.8 per cent. were due to causes not well defined—in other words, to unavoidable accident. If English accidents followed anything like the same rule—and most authorities place the percentage of accidents due to the fault of employers or fellow workmen at a much lower figure than the German—the result would be that the proposed Act would only apply to about 20 per cent. of the accidents that occurred. Mr. Chamberlain's proposal accordingly was that the employer should be made responsible for all accidents, except those in which the injured workman was himself to blame. The imposition of such a liability would, of course, entail the necessity of all employers insuring themselves against the risk; and it is urged that employers, having then no interest to avoid accidents, would fail to take due precautions for the workmen's safety. This fear seems somewhat groundless. The result of insurance in other directions, *e.g.*, in the case of ships and houses, has led to greater precautions being taken in order to satisfy the requirements of the insurers. And even under the existing Act it has been the practice of many employers to insure, and the safety of the men does not seem to have suffered. A stronger objection to such a scheme is that it would tend to discourage the practice of voluntary providence on the part of the men, which, for the contingency of accidents as distinct from that of old age, has already made considerable way. Mr. Chamberlain's proposal did not commend itself to the House, and was not pressed to a division.

*Subsequent Modifications.*—In spite of the protests of the Opposition, who, in view of the importance of the subject, wished to discuss it in Committee of the whole House, the Bill was remitted to the Grand Committee on Law, by which it was considerably modified. In particular, the exception relating to domestic servants was expunged; the right of an employer paying compensation to recover the money payable to the workman from any benefit fund to which the employer contributed, was restricted to the share of such money attributable to the employer's contribution to such fund; the limit of £100

entitling parties to remove cases from the County Court to the High Court, was raised to £300; in Scotland jury trials were sanctioned in the Sheriff Court; while the clause dealing with contributory negligence was modified in favour of the workman. All these modifications were approved by the House on report.

*Contracting-out—Fate of the Bill.*—The most important discussion took place regarding the provision against contracting-out of the Act. Some large companies and private employers of labour throughout the country have agreed with their workmen to contract out of the provisions of the existing Act, on condition of the employers contributing to an insurance fund for the protection of their workmen against all accidents; and most of these have intimated that if the proposed provision against contracting out is passed into law, they will at once stop their contributions. In the House of Commons an amendment was accordingly proposed to exempt from the general provision regarding contracting-out cases where, prior to the passing of the Act, adequate provision had been made for the insurance of the workmen in this way. The amendment was, however, resisted by the Government, and defeated by a bare majority of 236 to 217. Strong representations were thereupon made by large bodies of workmen interested in such private insurance schemes to exempt them from the clause in question, with the result that the House of Lords passed an amendment, proposed by Lord Dudley, providing for the exemption of private insurance schemes, whether in existence before, or initiated after, the passing of the Act, and approved of by two-thirds of the workmen concerned voting by ballot.

On the amendment coming back to the House of Commons, it was strongly opposed by the Government on various grounds, and defeated. Again the Bill returned to the Upper House, which reverted to its former amendment, with the addition of various provisions designed to meet the objections taken to the clause in the Lower House. On its subsequent return to the House of Commons, an amendment in substitution of Lord Dudley's was proposed by Mr. Cobb, by way of compromise, exempting existing insurance companies from the Act for three years. This was acceded to by the Government, and carried by a bare majority of two, but was rejected by the Upper House as an illusory concession. And on the Bill again coming back to the Commons, it was finally, on the motion of Mr. Gladstone, abandoned.

*The Dudley Amendment.*—How completely the Dudley amendment provided against the principle of contracting-out being used to the prejudice of the men, can be best gathered by quoting its provisions. These were as follows:—

Amendments to clause 4 containing provisions with respect to contracting-out :—

(2.) The foregoing enactment shall not apply to any agreement for assurance against injury which has been made between workmen and their employer before the date of the passing of the Act, and which subsequently to the said date shall be approved by two-thirds of the said workmen voting in the prescribed manner, or to any future accession of workmen in the same service to such agreement : provided that any workman shall be free to release himself therefrom by giving due notice.

(3.) Nor shall it apply to any such agreement made after the passing of this Act which shall have been approved as aforesaid, and in respect to which the Board of Trade shall have certified :—

(i.) That it provides reasonable compensation in all cases of injury from whatever cause incurred in the course of employment.

(ii.) That the compensation is paid from a fund to which the employer contributes not less than one-third :

Provided that the Board of Trade shall not certify as aforesaid in any case where in their judgment the ordinary course of business or employment is such, that by reason of the limited number of workmen employed or of frequent changes of workmen, it is not possible to ascertain the free opinion of the workmen employed :

Provided also that in case the insurance fund is insufficient to provide the agreed compensation, and the employer is unwilling to make up the deficiency, the agreement shall be considered void, and the workman shall have the same remedy that he would have had if he had not entered into it :

Provided also that the employer shall not make it a condition of engagement with the workman that he shall enter into such agreement.

(4.) The Board of Trade may make rules for taking the votes of workmen by secret ballot in such a way as to ensure that they vote freely and without constraint ; and it may from time to time, at its discretion, require such votes to be taken anew after the lapse of any period of not less than three years : but in the case of seamen and others employed afloat, the Board may make such provision for enabling them to give their votes freely and without constraint as shall in its judgment be suitable to the requirements of their employment.

The only argument which this carefully planned and worded amendment left to the Government was that the ballot could not be relied on to fairly secure the opinion of the men. That



is to say, the machinery which is sufficient to secure the free expression of opinion in the selection of Parliamentary and local representatives, and which is sought to be applied by trade unionists to the determination of what classes shall or shall not fall under an eight hours' law, is to fail when the workman has to elect whether he will take his remedy for injuries at common law or under a private insurance scheme. Why should it fail? The question has not been answered.

*Attitude of the Government.*—The entire absence of any reasonable ground for rejecting the contracting-out clause puts the Government in a most invidious position. They have prevented the passing of a measure which, by their own admission, confers very great benefits upon the working classes; and they have shown unreasonable and reprehensible hostility to insurance arrangements which it is a clear duty to encourage.<sup>1</sup>

These private insurance schemes affect a very large number of workmen throughout the country. One alone, that of the London and North-Western Railway Company, applies to 60,000 employees, and into its funds the company last year paid over £18,000. A deputation which lately approached Lord Salisbury on the subject represented nearly 100,000 men, who were practically unanimous in demanding exemption from the clause. If they wish exemption, if they desire freedom to make contracts for themselves, why in the name of reason should it be refused? The grounds of their demand are plain enough. Their existing schemes, by protecting them against *all* accidents, and ensuring speedy and certain payment of claims, are infinitely more valuable to them than any rights which the proposed legislation would confer.

And what is of still greater importance, such schemes help materially to promote good feeling between employer and employee. Such good feeling, unfortunately, it is the desire of some agitators to subvert; and partly under pressure from such men, and partly with the view of picking a quarrel with the House of Lords, the Government have taken up an attitude on this question that is no less subversive of the liberty of the working classes than it is detrimental to their material interests. They may yet find that the support of a few labour leaders is but a poor recompense for conferring upon the Upper House, as the issue of this and certain other controversies seems likely to do, a popularity which it never before enjoyed.

<sup>1</sup> The Government maintain that their Bill will not injure or destroy the existing societies. But they are on the horns of a dilemma; for they are admittedly guided by the advice of certain labour leaders, who make no secret of their hostility to these societies.



## CHAPTER XXI.

### THE LAND LAWS.

A GREAT deal is said at election times about the "Land Laws," and if one were to judge by the utterances of certain agitators one might be disposed to believe that a change in the "Land Laws" would usher in a golden age of peace and plenty. It is probable, however, that many of those who wax so eloquent about the "Land Laws" would be greatly at a loss if called upon to give an account of any of those laws of which they so bitterly complain.

The various proposals for a change in these laws will be briefly considered in detail, but, in the first place, a single word as to the relation of the Conservative party to the land question and to landlords, and as to the spirit in which the land question should be approached by Conservatives. The Conservative party is not a landlord party. In many districts of the country the majority of landowners are Conservatives, and the Conservative party is not ashamed of it—any more than it is ashamed of the fact that in many districts of the country the great majority of tenant farmers are Conservatives, or of the fact that for every landlord supporter in the country the party has twenty artisan supporters in the great towns. Conservatives hold no special brief for the landlord class. Landowners (in the sense of proprietors of considerable estates) are but one section of the community. The Conservative party is a great national party, and with such a party the interests of any one section of the people are not and ought not to be the paramount consideration. From the Conservative party landlords are entitled to no more and to no less than should be accorded to every other class of citizens—justice. Like other capitalists they ought to be protected in the just and reasonable enjoyment of the property which belongs to them. But if there are anomalies in the law affecting this class of property which are contrary to the public good, or which operate unjustly, it is neither the policy nor the duty of the Conservative party<sup>1</sup>

<sup>1</sup> The Conservative party has no reason to be ashamed of its past record in the matter of land legislation. The following subjects have been successfully dealt with :—

*Settlement (Entail)*, (1868 and 1875).

*Conveyancing (Scotland)*, (1868 and 1874).

to defend these anomalies, but on the contrary that party is found to effect such changes in the law as will redress the evils complained of.

### LAND TENURE AND LAND RESTORATION.

The notion prevails that property in land is treated differently from other kinds of property, and has special privileges which these do not possess; and that the present system of property in this country, and all its supposed hardships, are the result of what is called Feudalism. And it is sometimes said that property in land, as we understand it, is of recent growth, and that, to put it roughly, the land has been stolen by the landlords. A favourite cry, "Land Restoration," proceeds upon this theory. But the idea is sheer nonsense. The truth is, as shown below, that property in land is governed and ruled by the same principles as property in everything else. It is impossible, in a civilised country, where land is of any value, that it should not be property. You may take it from one person and give it to another without payment, which is robbery; you may take it from one person against his will and give it to another on payment of its supposed money value, which is expropriation, and is justifiable only when done to promote a great public object of unquestionable benefit; but the property remains, and somebody has what he can sell, or let, or raise money upon. Ever since civilisation began, as far back as we have records to take us, the right of private property in land has been recognised; it has been bought and sold and let out to tenants, and the owners of it have spent money upon it on the faith that it was theirs—in the words of the old charters—"as long as grass groweth up and water runneth down."

*The Feudal System.*—Even yet we hear wild talk about "feudalism," and a few years ago well-to-do farmers of hundreds of acres described themselves as "oppressed feudal vassals," and occasionally as "serfs." But the vassal and the serf were quite different people under the feudal system, and the vassal was not a farming tenant but the owner of land, who held the property of land, and had all the rights of ownership, subject to

*Hypothec (Scotland), (1880).*  
*Cattle Disease (1866 to 1890).*  
*Labourers' Dwellings (1885).*  
*Labourers' Allotments (1887 to 1890).*  
*Labourers' Allotments (Scotland), (1892).*  
*Irish Land Purchase (1885, 1887, 1891).*  
*Power to Trustees to reduce rents (1887).*  
*County Government (1888, 1889).*  
*Relief of Local Taxation (1888 to 1891).*  
*Board of Agriculture (1890).*  
*Small Holdings (1892).*

certain distinct and well-defined rights in the overlord or superior who had granted it to him or his predecessors. As a legal system, feudalism was concerned only with the rights and relations of the owners, and not of the occupiers of land, as occupiers. The king was the chief overlord or superior, and he, and the other overlords or superiors under him, granted or sold, as the case might be, the right of property to their vassals, in some cases for money, in others for military or other services. But what the vassal got, whether he held direct from the king or not, was the right of property—the same thing that the purchaser of a landed estate gets to-day. The vassal's relations with his tenants were governed then as they are now, not by feudalism, but by the ordinary law of contract—which dealt with landlord and tenant, with leases, fixtures, and removings, for centuries before feudalism was ever heard of. The right of property implies the power of doing three things: (1) Using it by one's self or one's servants; (2) letting it out to hire, to those who will pay for the use, and return the thing at the time agreed upon; (3) alienating it—i.e., selling or disposing of it altogether to other people. All these rights the vassal had: he was the owner, and so long as he, or those to whom he had transferred his property, fulfilled the agreed-on obligations to the overlord, that overlord, whether he was the king or a subject, could never recall the grant he had made. So long as the vassal was willing to fulfil his obligations, no power could take his property from him. It could only be taken by legal process for debt, if he failed to fulfil his money obligations. It could only be demanded by the overlord if he failed in any duty towards him. By feudal usage, as well as by the laws of every civilised State, it could only be confiscated by the king or Government as a punishment for high treason. The feudal grants by the king were not the presents of a despotic monarch that might be demanded back at any time, but the investing of men with rights well known, clearly defined, and guaranteed by the whole power of the State. It was true both of England and Scotland, that "no Parliament hath or can have authority to divest the subjects of a title or right to the freedom of their persons, and of a property in their estates, save in cases wherein by the known and common laws they are forfeited." It was, in fact, the forfeiture of rebellious subjects for high treason that enabled our monarchs to reward those who had been loyal to king and country by grants of estates; and it is a remarkable thing that, though enormous quantities of land thus passed from one owner to another in times of trouble, the principle of property was untouched and unshaken amid all these revolutions and commotions. Be the form of the titles what it may, the real fact of the matter is, that, with the feudal relation

nominally existing, owners have held, dealt with, bought or sold their land for generations, just as a farmer buys or sells a cow, or a grocer a pound of tea. More than half the landed property in the country has changed hands by *bona fide* purchase for a full price within the present century. According to the evidence of Mr. Keir Hardie, one of the "land restorers," before the Labour Commission, if a proprietor (presumably a descendant of one of those who "stole" the land) had sold it last year for £10,000 he is to be allowed to keep every penny of the money, but the land is to be taken without compensation from the man who paid £10,000 for it, although only last year he may have invested in it his last penny in the world.

Whether the owner held his property subject to military service, or to a money payment, or to something nominal, his rights and powers as a landlord were the same, and, from the earliest times, very like what they are to-day. Land was transferred from hand to hand as it is to-day. An old copy of the Gospels, written before the year 900, at the Columban monastery of Deer, in the Buchan district of Aberdeenshire, has been preserved, on the margins and pages of which, two hundred years later, when Gaelic was still the language of the Northern Lowlands, one of the monks wrote down a list of the grants of land made to his house by the neighbouring chiefs. These grants are of exclusive possession, and comprise "both mountain and field." That was before the introduction of the feudal system as it is generally known; and it has been pointed out that the brevity of the earliest charters preserved shows how well the men of these days understood what landed property was, and how they were passing it. When they did specify details, the things mentioned were substantially the same as at this day. Take, for example, the charter by which King Robert the Bruce, not long after Bannockburn, confirmed to the Duke of Argyll's ancestor "the whole land of Lochow in one free barony by all its righteous metes and marches, in wood and plain, meadows and pastures, muirs and marches, petaries, ways, paths, and waters, stanks, fish-ponds, and mills, and with the patronage of the churches, in huntings and hawkings, and in all its other liberties, privileges, and just pertinents, as well named as not named."

*Relation of Landlord and Tenant.*—In its main features the relation of landlord and tenant has for centuries remained the same. Very long ago the land of the feudal barons and Celtic chiefs, and of those who acquired from them, had been cultivated by "bondmen" or real "serfs," who were, like the serfs of the Continent, and of Russia down till quite recently, attached to the land and passed with it. But with the growth of civilisation this altered, and about the year 1300 we hear instead of "tenandries, tenants, and services of free tenants." Leases,

which were essentially contracts between free men, had been in use long before. An improving lease granted by the Abbot of Scone in 1312 is still preserved.

The friendly feelings and the co-operation between landlord and tenant have led to the marvellous strides of improvement in agriculture which date from the time when civil wars ceased, and private property became absolutely secure. Where the State has to undertake the letting of farms, it can do so only on the principle of auction and unlimited competition, as is shown by the Acts regulating the property of boroughs. The interest of the nation is that capital should be applied to the soil by the owner, and the farmer have his free for stocking and working. The depression under which agriculture suffers is aggravated by the fact that men with large capital, who would have bought much of the land now in the market, hesitate and stand back because of the doctrines that are preached. The result of this is more pinching to landowners, and the dismissal of industrious men in their service, less chance of recovery for farmers, and consequently decrease of wages, increased rates, and greater influx of labourers to the towns.

"The best and most wholesome system," according to Mr. Gladstone, "is where the soil is owned by one set of men and occupied and cultivated by another set of men."—*At Hawarden*, January 9, 1890.

#### MONOPOLY IN LAND.

Land, it is sometimes said, ought to be treated differently from, and is not entitled to the same respect as, any other kind of property, because God or nature made it, and because it is limited in quantity. This matter cannot be better cleared up than by quoting a passage from *Elementary Politics*, by Mr. Thomas Raleigh of Edinburgh and Oxford.

"Economically speaking, there is little, if any, essential difference between property in land and property in capital. This point is so frequently misunderstood that it may be well to enumerate the reasons commonly given for making a distinction between these two kinds of property.

"First, it is said that nature made land, while man makes capital. The fact is, that nature and man make both. Man takes from nature so much raw material; he compels the forces of nature to co-operate with his skill. The result is represented by settled and cultivated land, and by those other products of industry which we call capital.

"Secondly, it is said that nature, or God, intended the land to be common to all who live on it. To say this of nature is absurd, for nature means only what exists; common property and private property are equally natural, for both exist. As

for God's intentions, we have no right to dogmatise. God has not given us a land system; we may presume He means us to do whatever is most just and reasonable.

"Third, it is said that land is the necessary basis of all industry, and therefore we ought not to allow exclusive rights to be acquired in it. This argument applies to capital just as forcibly as to land; in a civilised country one is as necessary to industry as the other. Give a labouring man ten acres of land and nothing else, and he will probably die of want. If he may claim to have the use of land because it is necessary, he may claim the use of capital on the same plea.

"Fourth, it is said that land is limited in quantity, whereas other kinds of wealth may be indefinitely increased. There is a measure of truth in this statement, but it is also to some extent misleading. For if you take the population of a given country at a given time, and compare their relation to land with their relation to capital, you find that the two relations are essentially alike. Capital may be increased, but at any given time it is a limited quantity, not more than sufficient for the needs of the people. And therefore the possession of capital involves monopoly to the same extent as the possession of land. The capitalist and the landowner both hold exclusive command of something without which the industry of their neighbours cannot be carried on.

"Fifth, it is said that ownership of land enables a man to make an excessive gain without taking part in the work of the community. The value of his land increases steadily with the progress of the community: an advantage which he shares with the owners of certain other kinds of property, as for instance bank stock. The annual return which he obtains for the use of his land is also constantly increasing:<sup>1</sup> and this advantage is peculiar to land. But it must be observed that when land becomes private property it becomes also a subject of commerce. The vast majority of owners of land are purchasers and successors of purchasers who have secured the special advantages of this kind of property only by paying a high price for it. The greater number of English estates have been sold and bought once at least within the last fifty years. Each new purchaser has paid from twenty-five to forty years' purchase of the rental, taking his chance of agricultural depression and other causes which may reduce the rental, taking his chance also of the profit he may make if his land is wanted for building or other industrial purposes.

"On the whole, I see no economical reason to distinguish property in land from property in other things."

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<sup>1</sup> This, as is pointed out *infra*, was the ground upon which Mill based the doctrine of State appropriation of unearned increment; but the history of agriculture during the last twenty years has demonstrated that the presumption was entirely erroneous.



## LAND NATIONALISATION.

The most comprehensive proposal of all in regard to land is that it should be "nationalised." It is unnecessary to elaborate arguments against that proposal, however, for this has already been admirably done by Mr. Gladstone.

At Hawarden, on September 23, 1889, Mr. Gladstone said:—

"I think the nationalisation of the land, if it means the simple plunder of the proprietors and sending them to the workhouse, that, I consider, is robbery. I think nationalisation of the land, with compensation, as far as I can understand it, would be folly, because the State is not qualified to exercise the functions of a landlord; and although there may be many bad landlords and many middling landlords, yet, thank God, there are also many good landlords—even in Ireland some, and on this side of the Channel a good many; and the State could not become the landlord. It would overburden and break down the State."

Again, at Hawarden, on January 9, 1890, Mr. Gladstone said:—

"I am sometimes suspected—I hope unjustly—of being too ready to promote and recommend changes, but I do not see my way to that change, because I do not understand, from any explanation I have heretofore seen, in what way the State is to be made a good and capable landlord. Undoubtedly it would be a very unfavourable change, I think, for the farmer if the law of this country were to be that all the cultivators of the soil should also own the soil they cultivate, because that soil would not be made a present to them; they would have to pay for it. The farmer ought to make something like a trading profit out of his farming, but the owner of the soil in a country like this never can make a trading profit. A trading profit ought to be something like 10 per cent., and if the farmer does not always get it he does sometimes. But the owner cannot expect to get more than 3 per cent., and it would not be a satisfying thing for the farmer to have one-fifth of his capital invested in farm stock and returning him 10 per cent., and the other four-fifths invested in the soil and returning him 3 per cent. Upon the whole I am inclined to believe that the best and the most wholesome system is that which now prevails, the well-working of which depends upon the wisdom and good conduct of the people concerned, where the soil is owned by one set of men and occupied and cultivated by another set of men. I trust that very long, both here and elsewhere, that system may continue to gain strength from an increase and constant growth of intelligence and of good feeling both on the one side and on the other."

In the House of Commons, on February 27, 1891, Mr. Gladstone said:—

“There are persons who view the proposals of Mr. George as proposals of a very enlightened character, and who very much resent the use of hard words respecting him. I shall therefore carefully eschew hard words; but I will say that, so far as my examination or knowledge of his proposals goes, I find it extremely difficult, and indeed for myself altogether impossible, to exclude them or extricate them from the category of those plans to which hard words no doubt are commonly applied.”

Mr. Giffen has calculated that to nationalise the land by honestly purchasing it—land at twenty-six years' purchase, houses at fifteen years'—would cost £3,644,508,000. To raise the interest of this sum for a single year it would be necessary to more than treble the taxation of the country.

#### UNEARNED INCREMENT.

It is sometimes proposed that the State should appropriate the “unearned increment” of land—that is, all increase in the value of land that does not arise from improvements effected upon it by the owner. If a man buys railway stock at £500, and it rises to £1000, he is allowed to enjoy the gain. Nobody suggests that he should be allowed to do so only if he himself has been working on the line, and has by his exertions improved its prospects and the value of the stock. But, on the other hand, if a man buys land at £500, and the land rises in value to £1000, the State, it is proposed, and not the owner, shall pocket the £500, unless the increased value is the result of the owner's own work upon the land. The proposal was originally made by John Stuart Mill and his followers with reference to agricultural land, which they insisted must always necessarily continue to rise in value. That theory is now exploded. There is no increment, earned or unearned, in the value of agricultural land.

With reference to the proposal that the State should appropriate the “unearned increment” of land, the late Professor Henry Fawcett, M.P., Postmaster-General under Mr. Gladstone, wrote:—

“It seems to us that it can neither be defended on grounds of justice nor expediency. If the State appropriated this unearned increment, would it not be bound to give compensation if land became depreciated through no fault of its owner, but in consequence of a change in the general circumstances of the country? Although there is perhaps no reason to suppose that the recent depression in agriculture will be permanent, yet it cannot be

denied that in many districts of England there has been a marked decline in the selling value of agricultural land within the last few years. If, therefore, the State in prosperous times appropriates an increase in value, and if in adverse times the falling off in value has to be borne by the owner, land would at once have a disability attached to it which belongs to no other property. If we purchase a house, a manufactory, or a ship, we take the purchase with its risks of loss and chances of gain; and why with regard to land, and to land alone, should a purchaser have all the risks of loss and none of the chances of gain? If thirty years ago £100,000 had been vested in agricultural land, and if at the same time another £100,000 had been invested in such first-class securities as railway, banking, insurance, water, or gas shares, it can scarcely be doubted that if the latter investment had been made with ordinary judgment there would be at the present time a very much larger unearned increment of value upon the shares than upon the land. The increase in the value of the shares would have taken place quite independently of any effort or skill on the part of the owner, and, therefore, it may be asked, why should this unearned increment remain as private property, if the unearned increment in the value of land is to be appropriated by the State?"

Generally with reference to proposals either to nationalise the land or to appropriate the "unearned increment," Professor Fawcett wrote:—

"Such proposals would take us with regard to land reform exactly in the opposite direction to that in which we ought to move. If we associate with the ownership of land any disability or disadvantage which does not belong to other kinds of property, a direct discouragement is offered to the investment of capital in the improvement of the soil; whereas what above all things should be striven after is to promote the free flow of capital to agriculture."

Sir William Harcourt was even more emphatic. At Oxford, on 1st January 1874, he said:—

"I shall not discuss with you the unearned increment of land. That is an idea so illogical, so unreasonable, so perfectly unjust, and so absolutely 'philosophical,' that it does not require a refutation. Neither shall I inquire into the nature and origin of property in land. I am content to assume that a man's right to his land depends on the same principle as your right to the coat on your back, namely, that you have paid for it. . . . There is another bit of homely advice I will venture to give to those who really desire to reform the land laws. Don't begin by ballyragging the landowners. You will only set their backs up and defeat your object. To hear some of these people talk you would suppose that they had never seen a live specimen of an English squire."

There is one consideration which the advocates of the State annexation of "unearned increment" generally overlook, viz., that the increment or increase of value in property, although not the product of labour expended on that property, is often the reward of foresight and patience, and is not therefore unearned or undeserved.

#### MUNICIPAL ACQUISITION OF "UNEARNED INCREMENT."

A proposal has been formulated by Mr. Haldane and other members of Parliament, including Messrs. Asquith, Buxton, and Munro-Ferguson, that municipalities should have power to value land *now* with an option to take it or not at some future date. If they then take it they are to pay for it the value now ascertained, plus any increase not due to the growth of the town. This is a specious proposal, but it will not bear examination. It leaves the owner with all the risk and no chance of profit, the municipalities with no risk and all the chance of profit. This may be made clear by an illustration: A. has just bought a piece of ground as a speculation in the belief that one day it will have high building value. He paid £6000 for it, being double its agricultural value, which is only £100 per annum. He is content to take only 1½ths per cent. for his capital in the meantime, in the hope of future profit from buildings. But down comes the municipality and has the land valued at £6000. Now two things may happen. The building prospects may be realised, in which case the municipality twenty years hence, when the ground is about to be built upon, may take it at £6000, although it is then worth £20,000, and thus, whilst without risk they will have a profit of £14,000, A. only gets his original capital back, having lost half of the fair interest of it for twenty years. On the other hand, the building prospects may not be realised, the town may decay or may extend in some other direction, and the land be worth only £3000 after all. In this case is the municipality bound to take the land at £6000? No, it passes from the transaction scot-free, and leaves A. with the loss of £3000 on his hands. Was there ever such a game of "Heads I win, tails you lose"?

It is worthy of remark that Mr. Haldane's proposal differs fundamentally from that of John Stuart Mill in this regard, that Mill conceded, and even insisted, on the right of the owner, whose increment was threatened by the State, to require the State to acquire his property at its present value. He was to be given the option of either retaining his property under forfeiture to the State of future increment, or of parting with his property to the State now at its full present value. It is fortunate for the State that it did not take Mill's advice and embark in a

large speculation in agricultural land twenty-five years ago; but, nevertheless, there was in Mill's proposal a measure of justice which is entirely absent from that of Mr. Haldane.

Extravagant, however, as is Mr. Haldane's proposal, it is not contended that the principle which it attempts in a completely one-sided way to put in practice may not be a sound one, viz., that a municipality ought to be empowered to acquire compulsorily land in its neighbourhood the acquisition of which is necessary to enable it to control its own development. But if it is to be so, then the municipality must acquire the land out and out at its present value, and take the risk as well as the prospect of benefit. Immense as have been the profits of some owners of suburban lands, it is doubtful whether many municipalities would care to undertake such risks, and it may even be questioned whether, on grounds of public policy, they should be empowered to embark upon them with the ratepayers' money.

#### BETTERMENT.

It is proposed that where private property is specially benefited by public improvements a special tax should be levied upon that property to defray the expense of the improvement. No proposal has been made that when private property is injuriously affected by public improvements a contribution should be made by way of relief from the public funds. The question is one of great difficulty, for it is a most delicate matter to determine what area has been specially benefited, in what degree the several properties within that area have reaped the benefit, and what proportion the special benefit to the particular area bears to the general benefit to the community. To the principle itself no objection can be taken; but it is obvious that if it be unfairly applied it might work enormous injustice. Mere proximity is no test of betterment. The new street may be a competing one to the old. The London County Council recently tacked a Betterment Clause on to an unimportant private Bill. The Bill provided that the Council should have power to levy a special rate on owners whose property would be benefited by the improvements executed at the expense of the ratepayers. The effect of this clause would have been to throw (according to Mr. Baumann) the burden of a rate of more than 2s. in the pound upon a number of humble householders in Bermondsey. The House of Lords did not dispute the soundness of the principle, but they most properly refused to deal with so important a question in this way, and adopted a resolution inviting the appointment of a joint-committee of both Houses to confer together as to the best method of carrying out the principle generally. The Government in the House of Commons refused

to assent to the appointment of such a committee. The position of the House of Lords on this matter seems unanswerable. A change of so important a character, introducing a novel principle of taxation, and affecting the whole country generally, ought to be given effect to by a measure fully considered, as applicable to the whole country, and not by a Private Bill affecting only a very limited area. The sole object of the Government in refusing to agree to the proposal of the House of Lords for a joint committee was to seek to prejudice the House of Lords in the eyes of the community by representing them as opponents of the Betterment principle. The effect of this action of the Government was that that petted body, the London County Council, withdrew the Bill, and so a large number of the poor and the unemployed were deprived of the work and wages which the carrying out of the improvement would have given them.

#### SIMPLIFICATION OF TRANSFER OF LAND.

"Land," it is sometimes said, "should be as readily transferable as Consols." It would be as reasonable to insist that Consols should be as readily transferable as postage stamps. The facility with which a subject can be transferred depends partly, no doubt, upon the law, but partly, too, upon the character of the subject itself. In every transfer of land care must be taken to specify its boundaries, and the burdens, public and private, to which it is subjected, otherwise there would be no security to the purchaser. Whatever changes may be made in the land laws, no prudent man will ever buy land without satisfying himself whether it is the seller's to sell, what burdens and debts affect it, and what easements (servitudes) to neighbouring properties it is subject to, and unless the purchaser is himself an expert he must employ an expert to look into the matter. No change in the law of sale will ever obviate the necessity of the buyer of a horse, if he be not himself an expert, employing a veterinary surgeon to examine it; and to say that it is unreasonable that land should not be transferred as easily as Consols is just as absurd as to say that it is unreasonable that a horse cannot be purchased as easily as a pound of cheese!

The legal charges incident to the purchase of a considerable estate are not greater than the broker's commission on the transfer of a like value of stock. In the case of very small parcels of land or of small houses this is not so; and there can be no doubt that in the case of all properties further simplification of title is possible.<sup>1</sup> The Conservative party has already

<sup>1</sup> In Scotland there is a complete system of registration of the titles to land, which greatly simplifies the transfer of estates, and it is the ambition of English lawyers to perfect some such system for England. By will the right to land



done much in this direction,<sup>1</sup> and it is pledged to undertake the further simplification of titles to land at the earliest opportunity. It may be observed that the class who have most interest in securing the simplification of titles to land is the land-owning class. The more costly the transfer of land the less the value of land. Difficulty in transferring land is sometimes absurdly represented as if it were a privilege of landowners. It is exactly the reverse.<sup>2</sup>

### PRIMOGENITURE.

When a man dies intestate his land and houses go to his eldest son. It rarely happens, however, that a family estate in land passes by intestacy. It goes generally under a will or other settlement, and that law in this matter is not dissonant with popular sentiment is shown by the fact that it is generally left to the eldest son, subject, it may be, if the testator had no personalty, to certain burdens in favour of his younger children. No responsible politician has suggested that proprietors of land should be deprived of the right of leaving their property by will, for as Mr. Childers has not unhappily expressed it, "The right of settlement is one of the privileges of the freeman." The abolition of primogeniture, reserving the power of settlement, would hardly at all affect the descent of family estates in land. Were primogeniture abolished, however, the change would be a beneficial one in the case of house property, and other real property purchased, not as a family estate, but as an investment, for much hardship is sometimes occasioned to younger members of a family where small traders and others die intestate after having invested their savings in such property.

### ENTAIL.

There is a popular notion that a great part of the land of the country is tied up and cannot be brought into the market owing to the operation of the law of entail. This was once the case, but it is not so now. The belief is far more obstinate than was the fact. Under Lord Cairns' Settled Land Act of 1882 the "settled" or entailed land of England was set free. Settle-

may be transferred in both countries as simply as the right to any other kind of property, all that is necessary being that the testator should make clear his intention in language, however simple.

<sup>1</sup> The recent Conveyancing Acts (1868 and 1874), by which the transfer of land in Scotland was immensely simplified, were passed by Conservative Governments.

<sup>2</sup> As an illustration of the singular prejudice of Radical opinion upon this matter, it may be mentioned that a leading Separatist daily paper in Scotland, the day after a recent election, mentioned, apparently quite in good faith, as one of the Radical opinions of the Unionist candidate, which were enough to make "Lord Salisbury's hair stand on end," that the candidate was in favour of the simplification of the transfer of land!

ments are still to be respected, but the settled estates may be brought into the market and converted from settled land into settled money. By the Entail Act of that year the principle of the measure was extended to Scotland, so that now there is not an acre of land which the law of entail prevents from coming into the market. A fragment of the Scottish law does indeed still survive. It is still competent to make an entail. But no entail has any effect beyond the life of a person living at the date when it was made, and even in the case of the most strict entail the heir in possession may sell the land and convert the price into entailed money, or he may sell the land and bring the entail to an end absolutely by paying the value of his expectancy to the next heirs. The law of entail in Scotland now comes to no more than this, that an estate in land or its value, if it be sold, may be left to one in liferent and another in fee. In the case of an estate in money this is done by means of a trust. There seems no reason why the law should be different in the case of land, and therefore there is no serious objection, with due regard to the vested interests of people now living, why the cumbersome relics of the law of entail should not be altogether abolished. A short Act prohibiting the registration of entails in the future would effect this change.

#### LEASEHOLD ENFRANCHISEMENT.

In many parts of England, and especially in London, houses are built upon leasehold land. The lease is for a long term of years—50, 70, or 100. When the lease expires the site and all that is on it revert to the owner of the soil. In practice, however, large owners do not generally exact their full right. A renewal of the lease is granted upon terms more or less onerous according to circumstances. It is proposed that all urban leaseholders holding leases of which twenty years are yet unexpired (or for lives), should have the power of purchasing the freehold at a fair price, or, in their option, of paying a perpetual rent charge (like a Scottish feu-duty) in lieu of such price.

This proposal is advocated on a number of grounds, the more important of which may be thus summarised:—

The monopoly of town property in a few hands is a grave social danger, and the multiplication of freeholders would remove this, and at the same time, by giving a large number of citizens an absolute right of property in their houses, would increase their public spirit and pride of citizenship, and encourage them to improve their homes. It is an injustice that the landlord should at the expiry of the lease be allowed to confiscate the house, or impose a heavy fine, or largely increase the rent, whilst the knowledge of his power to do so encourages

the building of unsubstantial houses and the neglect of all repairs and improvements in the later years of a lease.

On the other hand, it is urged against leasehold enfranchisement, among other objections, that—

It would be an unwarrantable interference with contract in the interests, not of the whole community, but of certain favoured individuals. The owner would get no adequate compensation for the general improvements made by him on his whole property (roads, gardens, &c.), and the purchases being carried out piecemeal would lead to great deterioration in the value of the remainder of the estate not purchased by leaseholders. Leasehold property (it was so found by the Town Holdings Committee which reported a couple of years ago against leasehold enfranchisement) is much better managed than small freehold properties, and large schemes for the general improvement of whole neighbourhoods have been carried out in recent years under the leasehold system which could not possibly have been undertaken under a system of small freeholds. Leasehold enfranchisement would be attended with great difficulty in the adjustment of mortgages, provisions, &c., charged on estates where some tenants purchased and others did not, and it would greatly diminish the value of the property of a vast number of people who hold ground rents simply as an investment. An investment repayable in dribblets is not a readily marketable security. Leasehold enfranchisement would not benefit the working classes,<sup>1</sup> but only the wealthy middleman. Moreover, as both the owner and the leaseholder have an unquestioned right in the property, if the right is given to the leaseholder of buying out the owner, in fairness the right must be given to the owner of buying out the leaseholder.

#### TAXATION OF GROUND RENTS.<sup>2</sup>

(1.) *Leasehold Property in England.*—In England the occupier pays the whole rates (except the main drainage rate and the rates on houses assessed at less than £20). It is proposed to make the owner contribute as well. Much confusion, however, exists as to who is the owner who is to be called in. There may be only one owner, the proprietor of the ground, and the occupier may be his tenant under the building lease, but this is rare. Generally the occupier is a sub-tenant, it may be only a yearly tenant. Now, using the word *owner* of the house in the popular sense, as meaning the lessee in the building lease (Scottish feu), and distinguishing him from the tenant, the actual occupier at the time, it would be in accordance with the rule both

<sup>1</sup> Opposition to leasehold enfranchisement is one of the "planks" of the Metropolitan Radical Federation.

<sup>2</sup> See also Chapter XXVI.

in Scotland and in Ireland that the "owner" should pay a proportion of the rates. It is urged by many in England that a similar rule should be introduced there. There may be much to be said for this change, but the question is a comparatively small one, for if the occupier were relieved of half the rates his rent would immediately go up. The change would be one rather in the mode of collection than in the real incidence of the burden. The burning question is not this, but the proposal to tax the owner of the ground on the interest which he enjoys as ground rent. What renders this a different and far more difficult question is the circumstance that building leases have long terms to run, and there would not be the early opportunity of readjusting the rents which exists in the case of an ordinary tenancy. It is thought that it would be in accordance with public policy to change the law in regard to all future leases, to put a share of the rates on the ground owner, and to make null any bargain which innovated upon the law so changed.

The fact that the rates have to be paid by the occupier is no doubt kept in view when the lease is entered into, and affects the amount of the rent. But as years roll on this is lost sight of. The occupier believes that he is really paying the whole rate, and an unwholesome sense of injustice is thereby created. Moreover, the amount of rate may increase to an extent hardly contemplated when the lease was entered into. The rates, too, may be in part in repayment of loans, the benefits of which will remain to the property when the lease has expired. Finally, whilst the local rates are levied from realty, it is not desirable that certain persons should be drawing large revenues from realty without *apparently* contributing anything to local taxation.

The question of chief difficulty, however, is how to deal with existing contracts. It is urged that the rent was fixed in view of the fact that the rates were to be borne by the occupier, that the leaseholder took his risk of an increase of rates, and that "if the leaseholder has to bear an unforeseen and unexpectedly large increase of rates, he has on the other hand enjoyed the benefits of an equally unforeseen and unexpectedly large increase in the annual value of the property."

The committee which, under the chairmanship of Mr. Goschen, investigated this matter in 1870, recommended that the case of existing contracts would be equitably met by exempting the owners of property held under lease from the division of rates for a period of three years, and by providing that, while the division of rates should then take effect, the owner should be entitled at the same time to add to the rent an annual sum equivalent to one-half the proportionate annual average sum paid in rates by the occupier during the above three years. Logic and abstract justice forbid any interference with the

incidence of taxation under subsisting leases; but the country is not governed by logic or abstract justice, and it may be well worthy the consideration of ground owners whether it would not be in their interests to accept some such settlement as that recommended by Mr. Goschen's committee.

It is a very prevalent error to suppose that the taxation of ground rents would widen the area of taxation and increase the local revenue without an increase in the rate. This is quite a mistake. A leasehold house at present yields as much rate as a freehold one; it cannot yield more on any rational principle of taxation. The burden may be differently allocated among the different interests in the property, but the total return will be the same.

(2.) *Feu-Duties in Scotland*.—In Scotland, when a proprietor disposes of a parcel of land for building or some other purpose implying permanent occupation, instead of taking the whole price in money down he often takes in lieu, either of the whole or of a part of the price, an obligation by the purchaser to make an annual payment in all time coming, which annual payment is secured over the land sold. There are different technical ways of doing this, and indeed in theory the owner generally reserves a right of property in the land (the ordinary feu), but these differences do not affect the practical result, which is as stated. The feu differs from the English building lease in one most important particular. The feu is perpetual, there is no falling in, no reversion. This renders inapplicable to feus one of the strongest arguments for the taxation of ground rents under building leases, viz., that the owner will reap the benefit of the improvement for which the occupier is now paying. It is proposed to tax these ground rents or feu-duties for local purposes. At first sight the proposal seems a not unreasonable one. If a person draws £100 a year from land as feu-duty, why should he not pay local rates upon it just the same as the person who draws £100 a year from land as rent?

This is the form in which the question is generally put, and, so stated, if there were no more in the matter, no answer can suggest itself. In order, however, to arrive at a true understanding of the question, it is necessary to look into the system of local taxation and the contract between superior and vassal a little more closely. For local purposes land is taxed at its full annual value. Nobody has ever suggested that it should be taxed at more or at less. Now, suppose the full rent or annual value of a piece of land is £100, and that the feu-duty is £20. Here the feuar or vassal enjoys £80 from the land, the superior £20. There is a notion widely prevalent that in this case the £20 escapes taxation, and that the ratable value of the subject to the taxing authorities is only £80. But this

is a mistake. The property is rated at £100 per annum, the £20 is taxed as well as the £80. But how is this reconcilable with the fact that no rates are demanded from the superior? Because the vassal pays the taxes upon the whole £100. But surely, it may be urged, it is a hardship upon the vassal that whilst he has to pay £20 out of the rent to the superior as feu-duty, and consequently only enjoys £80 himself, he should still be taxed upon £100. That, however, was his bargain when he took the land. Had he stipulated that the superior should pay the taxes upon the feu-duty, the feu-duty would have been made so much the higher. The purchaser of land has not always the full price ready to pay down: he borrows so much from a third party, and grants him a bond over the land he has bought. Nobody suggests that the lender of this loan should pay local rates upon the interest of his loan. It would make no difference if the seller were the lender, he would be entitled to the full interest of the money he had allowed to lie, and the purchaser would be taxed upon the full value of his property. Nobody sees any injustice or inequality in this. But the feu-duty or ground rent is not really on a different footing. Substantially, if not technically, it is interest upon a part of the price of the property which the seller has allowed to lie secured over it, or in other words has lent to the purchaser.

The way in which the taxation of feu-duties would operate may be made clear by an illustration. There are two similar houses on similar pieces of ground of equal value. Both are let. The rent of each is £100 per annum. To the taxing authorities these two houses are of equal value and on the same footing, and no reasonable person suggests that more rates should be levied out of the one than out of the other. But it happens that the proprietor of one house is absolute owner, the proprietor of the other is a feuar, and his feu-duty is £20 per annum. He draws £100 of rent, but he pays £20 of it away as feu-duty, and he is taxed upon the full rent of £100. Now, of course, if the vassal is still to be taxed upon £100, and the superior to be taxed upon £20 of feu-duty besides, this house will be taxed upon £120, or £20 more than its full value, which may be set aside at once as an absurd proposal. Clearly, therefore, if the superior is to be taxed upon his feu-duty, the vassal must be taxed, not upon the rent, but upon the rent minus the feu-duty. There might be no objection to this, but for the fact that it is absolutely contrary to the faith of the bargain upon which the vassal obtained the feu. It is sometimes urged that many modern assessments were not in contemplation when the feus were granted. This does not apply to recent feus; and in regard to old feus, the immense rise in



the value of urban property was not in contemplation when the feu was granted. The whole benefit of this rise has gone to the vassal, and the vassal reaps the advantage of the use to which the assessments are put. A good drainage system enhances the value of his property, but does not benefit his superior. The circumstance, however, that no assessment is laid directly upon the superior gives rise to so much misconception and ill-feeling that there is a good deal to be said for the view that it should be made illegal in any future feu to stipulate that the vassal should pay the whole taxes, and that in future feus the vassal should be taxed upon the rent, minus the feu-duty, and the superior upon the feu-duty. Two objections may be taken to this proposal. In the first place, it may be said that the provision might be evaded by the substitution of a contract of loan with annual interest for a contract of feu with annual feu-duty. Secondly, feu-duties are a useful and convenient investment for funds where a fixed and constant annual return is desired, and feu-duties would fall in capital value, to an extent out of all proportion to the burden imposed, through the introduction of an element of fluctuation and uncertainty in the annual return.

There are two considerations which are sometimes lost sight of in the discussion of this question: (1.) The taxation of feu-duties will not add one penny to the assessable value of a town or county, for no reallocation of the burden between superior and vassal can affect the annual value of property. (2.) A great portion of the feu-duties of the country are held simply as investments by churches, charities, and public and private trusts, and the imposition of local taxation upon feu-duties would operate most harshly against those in right of incomes from this source of revenue.

#### RATING OF VACANT LAND.

At present land is rated not upon its capital value but upon its actual return. Accordingly vacant land near towns, which will probably soon be required for building purposes, and has therefore a high capital value, is often rated at a very low amount on account of the small annual return for the present. It is proposed that such land should be assessed for local rates at 4 per cent. of its selling value. It is contended that this would bring a great deal of land into the market at a reasonable rate for building purposes and diminish the evils of overcrowding, and that it is only just that the owners of vacant land should pay a share of the improvement and other local expenditure which is enhancing the value of their property. The proposal, however, is one of great practical difficulty. Who is to

determine what land is available for building? and even when that is ascertained, all who are familiar with valuations know that the value of building land is most uncertain and speculative. Moreover, whilst it is most desirable to discourage the undue withholding of land from the building market, it is equally undesirable that land should be forced upon that market, and numbers of cheap houses be erected without adequate demand. This taxation, too, it is urged, would diminish the amount of land available in towns for open spaces and parks, and it would be evaded by large gardens being temporarily attached to houses.

#### MUNICIPAL ACQUISITION OF BUILDING LAND.

It is urged sometimes that municipalities ought to have power to acquire compulsorily land necessary for building purposes. There is no objection to compulsory acquisition in principle, for the State recognises that land may be acquired compulsorily for purposes of public utility when it cannot be acquired voluntarily, and there is no purpose of higher public utility than the provision of commodious and healthy dwelling-houses for the people. But the acquisition of land and the erection thereon of dwelling-houses for private use is not the primary or natural function of municipalities, and so long as land can be obtained and utilised in this way by private enterprise it is not desirable that municipal bodies should be embarrassed by this work. It is said, however, that in certain places land cannot be obtained for the building necessary for a town's development on any reasonable terms, and that this is more especially the case where small towns are landlocked by a single estate. Such a state of matters, if it exists, cannot be permanently tolerated under modern social and political conditions. Thriving industrial centres must not be "cribbed, cabined, and confined," because the owner of all the surrounding lands objects to further extension of the town or village. Whether such cases exist to any appreciable extent, however, is keenly disputed, and the facts could only be ascertained by a general inquiry. It seems desirable that such an inquiry should be made either by a Royal Commission or by a Parliamentary Committee before any scheme is formulated for imposing duties so difficult upon municipal bodies.


#### MUNICIPAL DEATH DUTY.

It is proposed that, in addition to the death duties levied for Imperial purposes, there should also be a municipal death duty levied from all land and buildings within the municipal area.

But, as is pointed out elsewhere, death duties generally fall upon a family at a period of difficulty and distress, when the head of the house is taken away, and the family income is reduced. If death duties be made too high, they will defeat themselves, for people will take care to transfer their property to their children during their own lives. But another and very urgent objection to a municipal death duty is, that it would affect one class of property only. It is not proposed to tax personal property in this way. Such a proposal is impracticable, for it could never be said that because a man happened to reside in a certain town at the time of his death, that town was to have a share of his means, wheresoever situated. Real property alone is to be taxed. Now, if one class of property is subjected to a burden from which another class is exempt, the former is sure to deteriorate in value. A municipal death duty would inevitably have the effect of seriously diminishing the value of all land and house property throughout the country. People would prefer investments that would enable them to escape the duty.

#### MINING ROYALTIES.

Generally the proprietor of minerals lets them at a fixed rent, with a stipulation that it shall be in his option to claim so much per ton of output instead of the fixed rent. This payment per ton is termed royalty. For some years there has been an agitation against mining royalties. It is difficult, however, to see any difference in principle between the exaction of fixed rent and the exaction of royalty, and probably those who object to royalty use that word generically as including payment of any kind to the proprietor of the soil for his minerals. Now it may be a fair matter for argument whether it would not have been better if private property in minerals had never been granted by the Crown or recognised by the law. But it was so granted, and for centuries it has been so recognised. The right of proprietors to minerals has been acknowledged by the State, minerals have been bought and sold. The right to them rests upon the same basis as the right to any other form of private property in the country. The expropriation of the owners of minerals, therefore, without compensation would be confiscation, contrary to the faith of the State, and need not therefore be seriously discussed until it is proposed to repudiate the National Debt. But short of this it has been suggested that the exaction of royalties may be controlled to a certain extent in the general interests of the mining trade of the country, and that the peculiar nature of the revenue enjoyed from royalties renders them a fit subject of exceptional taxation. In view of the widespread interest in the question, and the importance of all matters



affecting the mining industry, the late Government appointed a Royal Commission to investigate the question.

This Commission, after an exhaustive inquiry, prepared a Report, which was subscribed by all the members, including the representatives of the miners, of which the leading conclusions were as follows:—

1. We estimate that the amount paid as royalties on coal, iron-stone, iron ore, and other metals worked in the United Kingdom in 1889 was £4,665,043, and that the charge for way-leaves for the same year was about £216,000.
  2. We are of opinion that the system of royalties has not interfered with the general development of the mineral resources of the United Kingdom, or with the export trade in coal with foreign countries.
  3. We do not consider that the terms and conditions under which these payments are made are, generally speaking, such as to require interference by legislation; but we recommend that some remedy should be provided for cases in which a lessee may be prevented by causes beyond his control from working the minerals he has taken, and also for cases of certain restrictions upon the assignment and surrender of mineral leases.
  4. We are of opinion that when the surface belongs to one person and the subjacent minerals to another, greater facilities should be provided for the working of the minerals.
  5. We are of opinion that greater facilities should be afforded to tenants for life of settled estates in dealing with mineral property.
  6. We think that facilities for granting increased leases for longer terms should be given to corporations and public bodies which do not already possess sufficient power in that respect.
- . . . . .
10. As regards way-leaves, we are of opinion that owners of mineral property unreasonably barred from obtaining access to the nearest or most convenient public railway, canal, or port on fair terms, or from obtaining underground easements on fair terms, ought not to be left without remedy.
  11. We suggest that the Department of Mines in the Home Office might be reorganised and extended, with such additional statutory powers as may be necessary for the purpose of collecting and publishing accurate information with regard to mines and minerals.

Some interesting statistics were collected by the Commissioners.

1. *Number of Miners in United Kingdom.*

Underground (Males)	571,840
Above ground (including sidings of pit)—	
Males	124,852
Females	5,774
Above ground on branch railways—	
Males	19,017
Females	325
<b>Total</b>	<b>721,808</b>

2. *Average Annual Wages.*

	1888.	1889.	1890.
France	£45	£47	£53
Belgium	36	38	...
Liège	39	41	48
Germany—			
Westphalia	43	47	53
Saarbrücken	42	46	55
Britain	49	60	71

3. *Production of Coal and Iron Ore.*

	Coal.—Tons.	Iron Ore.—Tons.
Britain	181,614,288	13,780,767
United States	140,882,729	16,036,043
Germany	89,290,834	11,406,132
Other countries	93,680,958	15,387,195
<b>Totals</b>	<b>505,468,809</b>	<b>56,610,137</b>

It was shown to the satisfaction of the Commissioners that royalties do not injuriously affect the rate of wages. Proprietors working their own mines do not pay better wages than lessees paying royalty. Mr. Smellie, the secretary for the miners of Larkhall district of Lanarkshire, said—"If mineral royalties were abolished altogether, it would prevent the thinner coal from being wrought at the present time; some employers, to my knowledge, would require to stop altogether, and the workmen would be thrown out of employment, because the employers could not compete in the market with those who were working thicker seams and a better class of coal." The thicker and better the coal, the higher the royalty, and so at present the poorer coal can be worked so as to compete with it.

It was clearly shown that royalties in no way affect our export trade. Freights to continental ports varied between 1887-90 from 4s. 3d. to 15s. To Bombay the variation was from 14s. to 23s. Compared with these figures, royalties are hardly of any account; as Mr. Forster Brown puts it, "A very

small percentage of variation in the freight of most of the foreign countries at any distance from England would swamp any royalty," — conclusive evidence that royalties have not crippled our export trade. The following table shows the comparative growth of the export trade of this country and certain foreign countries:—

*Coal Exported.*

	Britain.	France.	Belgium.	Germany.
1880 . .	18,719,971	589,647	5,375,431	7,604,484
1891 . .	31,084,116	880,689	5,916,172 <sup>1</sup>	10,907,957

The Report of this Commission ought to be carefully studied by every candidate for a mining constituency.

Upon the special taxation of royalties, it may be remarked that the amount drawn by owners of minerals in the shape of royalties is at present taxed for local purposes in the same way as ordinary rent, and that any additional taxation on such royalties would undoubtedly tend to diminish the profits of mining companies and the wages of miners. If royalties were further taxed the amount of royalties would increase as certainly as would the price of tobacco if the tobacco duty were raised. When the profit from any source falls to be divided among several parties, as in the case of minerals between the proprietor, the mining company, and the miner, and a new burden is attached to any particular share, that burden does not affect that share alone, but spreads itself out and equalises itself over the whole. A tax on royalties would simply diminish the total that there was to divide without seriously affecting the proportions in which whatever there was fell to be divided.

THE THREE F's.

The provisions which bear this nickname are—*Fixed* or *Fair rent*, *Fixity of tenure*, and *Freedom of sale*.

A *fixed* or *fair rent* is that adjusted, not in accordance with the law of supply and demand between free contracting parties, but by a statutory tribunal which makes a bargain for the parties without consulting their views.

*Fixity of tenure* secures the tenant in the subject of tenancy at the fixed rent (subject to periodical revision) for all time coming.

*Freedom of sale* gives the tenant right to sell to any third party this right to perpetual possession of the subject of tenancy at the fixed rent.

<sup>1</sup> 1890. No information for 1891.



All the three F's were conceded to the Irish tenants by the Irish Land Act of 1881. By the Crofters' Holdings (Scotland) Act of 1886 the crofters got the first and second, but not the third. In both these cases exceptional legislation was applied to meet an exceptional state of circumstances. In both cases a customary tenure had grown up which, so far as regarded the best managed estates, the new legislation did little more than recognise. In both cases, too, most of the improvements had been done by the tenants. Finally, in both there existed a very helpless population, incapable of turning to any other industry, or of finding new homes when compelled to remove.

In regard to the rest of the country, it is widely different, and there does not appear to be any desire, even among tenant farmers, to have the three F's applied generally. The change would deprive farmers of much of the freedom which they at present enjoy, for, of course, where there is fixity of tenure, it must be fixed on both sides, and a farmer with an unprofitable farm would have a millstone round his neck. Landlords, moreover, would cease to have any interest in expending money in the improvement of their estates, and the relation of landlord and tenant would become a purely commercial one, to the infinite detriment of the tenant, who would look in vain for an abatement in a bad year, or for a new cattle-shed, or for the large capital expenditure on buildings and fencing which proprietors are periodically called upon to make. Again, the three F's, if a benefit to anybody, would be a benefit only to existing tenants, not to the tenant-farmer class in the future. The man who desired to take a farm a year or two hence would be in a much worse case than at present, as he would have two interests instead of one to settle with. Nor can any reason be suggested why a man who last year voluntarily took the use of a piece of land for, say five years, at £500 a year, should have suddenly conferred upon him by legislative enactment, whether he wishes it or not, and whether or not the owner of the ground wishes it, a perpetuity in the possession of this piece of land at a rent which may be more or less than £500, as some third party shall determine.

Multiplication of proprietary or quasi-proprietary interests in the same piece of ground is not desirable. Large cultivators can well look after themselves. For small cultivators, Mr. Chaplin's Small Holdings Act has opened up a much more excellent way than the three F's. The three F's (including Free Sale) are just a transfer to one man without payment of so much of another man's property. The two F's (excluding Free Sale) means just the wholesale setting up of a system of little entails, in which the institutes are the sitting tenants.

## GAME AND FISHING LAWS.

The game laws used to be complained of on account of their tendency to encourage the preservation of game to an extent injurious to the crops of the tenants. But as tenants now enjoy the right both to hares and rabbits this cause of complaint no longer exists, and the game laws now protect the right, not merely of the landlord but also of the tenant, in the ground game. It is said sometimes that these laws are too severe, but nobody suffers from them who observes the law and respects the rights of his neighbour, and that they are not unnecessarily severe is shown by the fact that it needs them all to keep in check poaching, which often leads to more serious crime. It is sometimes said, however, that the crime of poaching is the creation of the game laws. If there were no game laws there would be no poaching. That is true, and if there were no law of any kind there would be no crime.

Human society, however, is not constituted upon that principle, but recognises that it is necessary that laws should exist for the protection of men in the fair enjoyment of their rights, and that the contravention of these laws should entail punishment. It is sometimes represented that the game laws preserve for a few a privilege which ought to be enjoyed equally by all. But this is not so. If there were no game laws the privilege would be enjoyed by nobody, for in an enclosed and thickly peopled country like this without game laws there would be no game. Abolish the game laws, and so far from there being sport for everybody, in two years there will not be a day's sport for anybody in Great Britain.<sup>1</sup>

It has been suggested with much plausibility that the true solution of the game question is to abolish the game laws, with all their exceptional provisions, and to substitute for them a simple enactment that game is the property of the landlord or tenant on whose ground it may be for the time. Game, it is said, is now as much dependent for its existence upon the protection and care of the owner or occupier of the land as are flocks, or herds, or crops. Moreover, the right to it has a high money value, and, whether let or not let, that value is taxed. By making it property, and the taking of it by a stranger theft, law, it is said, will only be brought into harmony with fact, and the public mind will be disabused of the idea that poaching is in a different category from any other crime of dishonesty. There is no reason why the accused who has taken twenty

<sup>1</sup> In some States of America stringent game laws are being enacted, it having been found that the absolute destruction of game was a serious loss to the whole community.

rabbits from another's land, and sold them on his own behoof for a pound, should be regarded as a martyr, whilst the accused who has stolen sixpence, or carried off a hen from a poultry-yard, is flouted as a rogue.

The considerations which apply in the case of fishing are very similar. There are many waters where trout-fishing is freely allowed to the public, and hardly any of these waters, except in very remote districts, are now worth fishing in, so constant and keen has been the destruction and the scaring of the fish. The well-preserved waters are the only ones really worth fishing in, and there can be no doubt that if these waters were thrown open to all, fish would soon become as rare and as shy as they now are in the diligently whipped public waters. Unfortunately, there is not enough water in this country to provide good angling for everybody. Apart from any question of property or compensation, the problem is whether it is preferable that a certain number of the community should enjoy good angling, or that the whole community should be placed upon the equal footing of having no angling at all.

## CHAPTER XXII.

### THE LIQUOR TRAFFIC.

THE beliefs which actuate those who agitate for reform of the laws at present regulating the traffic in intoxicating liquors are thus set out in the preamble to the Liquor Traffic (Local Veto) (Scotland) Bill, 1893. This traffic "is the main cause of poverty, disease, and crime, depresses trade and commerce, increases local taxation, and endangers the safety and welfare of the community." On the other hand, it is contended that whilst no doubt the *abuse* of drink is the cause of much human misery, its *use* is one of the most general sources of human happiness.

The division of opinion on this question will be found not to follow the ordinary party lines.

#### I. LOCAL VETO—THE LIQUOR TRAFFIC (LOCAL VETO) (SCOTLAND) BILL—THE LIQUOR TRAFFIC (LOCAL CONTROL) BILL.

The first Bill above referred to, commonly known as Mr. M'Lagan's Bill, is a recently formulated "Permissive Bill" proposal, and was backed by Mr. M'Lagan, Sir Charles Cameron, Mr. Lyell, Mr. Cameron Corbett, Dr. Clark, Mr. Munro Ferguson, Mr. Wilson (Govan), and Mr. Birrell. It has been introduced into the House of Commons in several past sessions, and was again before Parliament in the session of 1893.

This measure gives effect to three of the chief reforms suggested, viz.: (1) Complete prohibition; (2) reduction of the number of licences; (3) a provision against the granting of new licences. The Bill provides for fixing the boundaries of districts, and directs a poll to be taken (on the application of not less than one-tenth of the householders in a district) to determine on the adoption or rejection of three resolutions:—

1. That the sale of intoxicating liquors be prohibited.
2. That the number of licences be reduced to a certain number, to be specified in the notice of application.
3. That no new licences be granted.

It is of importance to note a wide difference between the Bill of the past session and some of its predecessors. Candidates are asked at meetings whether they approve of the principle of

Mr. M'Lagan's Bill, and having in their minds the Bills of 1886 and 1887 they may answer in the affirmative, whereas they might not be prepared to go the whole length of the Bills of subsequent sessions. The seventh section of the Bill of last session, for example, provides for the adoption of the *first* resolution (that of prohibition) on a *bare majority* of votes recorded. The seventh clause of the Bill of 1887 required a *majority of two-thirds* of the votes recorded in order to carry this very sweeping and extreme change. The latest form, therefore, would allow one thousand householders in a district to prevent nine hundred and ninety-nine from obtaining any liquors in the district. The Bill, in both shapes, provides for the adoption of the other resolutions on a bare majority. Only one resolution is to be adopted. If the first resolution is carried it is to be adopted, even if either or both of the other two resolutions have been carried. If the second be carried and the first not, it is to be adopted whether the third has been carried or not (sect. 7). The passing of the first resolution would render it illegal "to keep for sale, sell, or barter, or hawk, or otherwise dispose of intoxicating liquors" in the district (sect. 9), there being a carefully guarded exception in respect of the sale of intoxicating liquors by chemists for strictly medicinal purposes, and also in favour of the sale of methylated spirits "for use in the arts and manufactures." If the first resolution be carried, a poll for its repeal may be demanded after five years and not before, and such poll shall be limited to the first resolution. If the second resolution be carried, a poll on all three resolutions may be demanded after two years. No new poll can be demanded on the third resolution, if it be carried; but in that case a poll may, after two years, be demanded on the first and second resolutions. If all three resolutions are rejected, a poll may be demanded after two years.

*The Liquor Traffic (Local Control) Bill.*—This was the Government measure on the subject of the liquor traffic. It was introduced in the Session 1893 by Sir W. Harcourt, Mr. Asquith, Sir George Trevelyan, Sir John Hibbert, and Mr. Burt. The Bill was dropped by the Government early in the session. Its main provisions are as follows: On the requisition of one-tenth of the Local Government electors in any area (as after-mentioned) a poll is to be taken on the question whether total closing shall be adopted within the area; and if a *majority of two-thirds* of the persons voting resolve in the affirmative, no licence (with the exception of those saved by the Act) shall be granted or renewed for the sale of intoxicating liquors within the area [cl. 1 (1) (2)]. No further poll may be taken for three years [cl. 1 (3)], after which the question may be reconsidered [cl. 1 (4)]; but any resolution passed within *two years* of the pass-

ing of the Act is not to come into force before the expiration of *three years* from the passing of the Act; and, if passed subsequently, is not to come into force before the expiration of *one year* from the passing of the resolution [cl. 1 (5)]. Clause 2 makes provision for the taking of a poll, in similar fashion, on the question of Sunday Closing *in England*, but this question is to be decided by a *bare majority* of those voting, and the resolution is not to come into force "until the then next day appointed" for holding the general annual licensing meeting in the area. *Savings*: "Nothing in the Act is to prevent the grant or renewal of licences for the sale of intoxicating liquors on premises intended to be used in good faith"—"(a) for refreshment rooms at a railway station, that is to say, for persons arriving or departing by railway; or (b) for an inn or hotel, that is to say, for the accommodation of travellers or of persons lodging therein; or (c) for an eating-house, that is to say, for persons taking meals on the premises;" and the licensing authority may attach to every such licence such conditions as they "think necessary or proper for preventing the use of the premises for any other purpose than that specified in the licence" [cl. 7]. There are also savings in respect of sale for medicinal purposes by a chemist [cl. 9], and of methylated spirits for use in the arts and manufactures [cl. 8]. The *areas* in Scotland are (a) in the case of a burgh or police burgh, not divided into wards, that burgh; (b) where divided into wards, a ward; and (c) in the case of a county (which, for the purposes of the Act, *does not include* police burghs), a parish, whether wholly within one county or partly within two or more counties; but where a parish is partly burghal and partly landward, the landward portion only is the area [cl. 10 (1)]. The *electors* in Scotland are, in the case of a burgh or police burgh, or a ward thereof, the persons on the roll as municipal electors; and in other cases, the persons registered on the parish roll, and entitled to vote at County Council elections for the area in question. The *authorities* in Scotland are the Police Commissioners for a burgh or police burgh; and the Parochial Board, for a parish, whether wholly landward or only partly so. *Mutatis mutandis*, the provisions prescribing the areas, electors, and authorities *for England and Wales* are the same [cl. 3, 4, 5]. The central authority in Scotland is the Secretary for Scotland, and in England and Wales the Local Government Board. The Bill does not extend to Ireland. There is no provision for compensation to licence-holders.

The Government Bill gave satisfaction to neither side. Mr. Chamberlain thus criticised it in a letter to a Birmingham meeting:—



"I am not surprised to learn that the licensed victuallers of Birmingham are about to protest against the most unjust proposals by which it is intended to put into the power of a chance majority, in any district, to destroy absolutely the property of persons engaged in a lawful business, against whom no charge of misconduct can be substantiated, without the pretence of any adequate compensation. On this ground alone I should give my strongest opposition; but, in addition, I may say that the Bill is so drawn as in no case to promote the cause of temperance. Its chief effects would be to transfer the trade from those persons who now carry it on, and to place it in the hands of the owners of refreshment hotels, railway stations, and the managers of the so-called clubs. The Bill is so absurd that I am convinced it was not brought in to pass, but merely to satisfy the clamour of the extreme advocates of prohibition. Having answered its purpose, I very much doubt whether the Government will even try to obtain a second reading."

The leading grounds on which the extreme measure of local prohibition is opposed are: (1) The interference with the liberties of minorities which it involves, and the hardships of so curtailing the liberties of the *many* who are not addicted to excessive drinking in the interests of the *few* who are; (2) the great loss to the Imperial revenue which would result from general abstention on the part of temperate drinkers; and (3) the unfavourable results of the experience of countries in which the principle has been put in practice. In America, for example, prohibition has been dropped, *as a failure*, in Massachusetts, Connecticut, Indiana, Michigan, and Wisconsin, and the States in which it is still in force are said to be the most drunken in the whole country. It is further urged by many who would concede "Local Option" only, that that principle, if adopted, would give to the inhabitants through their representatives adequate control of this traffic.

## II. LOCAL OPTION.

What is commonly known as Local Option is the proposal to withdraw from the existing licensing authorities, who are non-representative, the power of restraining the issue or renewal of licences, and to place this power in the hands of the inhabitants themselves. The term, however, is now usually restricted to that particular form of the proposal which would transfer these powers to Corporations in burghs, and to County Councils in counties, as *representatives* of the inhabitants in these areas respectively. In this shape the principle is very generally admitted by all parties. It was contained in the original form of the English Local Government Bill, 1888; but being com-

plicated there with the more vexed question of compensation to publicans,<sup>1</sup> the clauses dealing with licensing were withdrawn.

Local option is still opposed by some, mainly on the grounds (1) that the liberties of minorities might be seriously affected by its exercise; (2) that it would cause elections for Corporations and County Councils to turn less on the true merits of candidates than on their opinions regarding the single subject of the liquor traffic; and (3) that the control of licences ought not to be given to the ratepayers until the question of compensation has first been settled.

### III. COMPENSATION.

There is marked diversity of opinion as to whether, in the event of local option being carried, the publicans whose licences are not renewed are to be entitled to claim compensation in respect thereof.

Renewal being refused solely on the ground that it is desirable to reduce the number of licensed houses, and not on account of any misconduct on the part of the publican, it is urged that he is entitled to compensation on the analogy of what was done in the case of the freeing of slaves and the abolition of purchase in the army. In both of these cases those whose private interests were sacrificed for the common benefit were liberally compensated. Against this position, however, it is urged that a licence is expressly limited to one year, and requires to be renewed at the end of that period; and that, consequently, the publican has no vested interest beyond the legal term of the licence. But it is maintained, on the other hand, that though such is undoubtedly the legal *theory*, in *practice* a licence attaches to a house and is renewed, as matter of course, during the good behaviour of the occupant. Further, one cogent argument against the granting of compensation to publicans is the enormous cost which, according to these opponents, it would involve. Against this it is urged that these estimates are, as a rule, greatly exaggerated, and that the total amount of money required for compensation would not, in reality, be great, for the reason that the extreme temperance party are in the minority almost everywhere, and cases requiring compensation would be comparatively few. It has been proposed by certain reformers who approve of compensation to impose increased taxation on

<sup>1</sup> The relation between the constitution of the Licensing Board and the question of compensation is not obvious, for if it may be urged that if the only change were in the constitution of that body, and the statutes to be administered remained the same, there is no reason to believe that the new board would not administer these statutes as fairly and justly as the old one. The answer urged against this is, that magistrates at present exercise a judicial discretion whilst a representative body would exercise an administrative one only.

the remaining publicans (in return for their increased monopoly), and thereby to raise a fund for payment of compensation, thus avoiding the imposition of any additional burden on the ratepayers.

In 1890 the Unionist Government made an honest attempt to advance the cause of temperance by proposing to give powers to suppress certain public-houses. Throughout the country there are a number of public-houses which are quite well conducted, but which from change of circumstances have become unsuitable or unnecessary. The Government proposed to allow County Councils to employ a certain grant from Imperial funds, the proceeds of a tax upon drink, in buying up these houses with a view to close them. The proposal was made in good faith by the testimony even of Mr. Caine, and the object was an excellent one. But there were objections to the scheme. Publicans, it was said, are not entitled to compensation for anything that the existing law can do to them. By the existing law it is not only the right but the duty of magistrates to refuse licences to public-houses which, though well conducted, are from their situation nuisances, or which from movement of population have become quite unnecessary to meet public requirements. Partly from a widely prevalent error in regard to the law, partly from considerations of compassion, magistrates often fail to discharge this duty. The hands of magistrates, it was said, require strengthening in this matter. But the effect of the proposal of 1890 would have been to weaken them so much that it would have been henceforth impossible for magistrates to withdraw licences from such houses. The argument would have been irresistible. "Let the County Council first offer to buy it up." Another objection to the Government proposal was that it would have foreclosed the question of compensation for all time coming. Now it was urged that whatever opinion may be held about compensation, the question is one of such magnitude that it is desirable that it should be deliberately faced in its entirety, and not prejudged by a decision upon a comparatively small proposal of this kind. These objections were not perhaps fully realised when the plan of the Government was somewhat hurriedly formulated as an honest endeavour to meet a general demand for licensing legislation. Many even of the temperance reformers did not themselves at first appreciate them. They have undoubtedly some weight. Nevertheless little benefit has been done to the cause of temperance, or to the prospect of temperance legislation, by the gross misrepresentations which have been made of the motives of the Government in the matter, and the bitter endeavours to make party capital out of a proposal which, however mistaken, was the first honest endeavour of any Government to give to

the popularly elected local authorities some power to check the evils of the liquor traffic.

When a publican dies his interest in his licence, for the purpose of payment of death duties, is not regarded as limited to the year of his licence. All Governments, Radical and Conservative, deal with this matter in the same way, and his interest is valued as a going trade at two, three, four, and even ten years' purchase. Two actual illustrations will suffice. One publican paid income tax on £300, and probate duty was charged on his interest in the business at £1000. Another paid income tax on £600, and probate duty was charged on £2300. No doubt this argument is not conclusive, for the State taxes everything marketable which a man leaves, and where that happens to be a thing of doubtful title the State does not warrant the title, and where it is dependent upon a contingency the State does not guarantee the purification of the contingency. The fact, however, that licences have high market values, clearly recognised even by the tax authorities, shows that the limitation of a licence to one year is only technically true, and that by consuetude a far more valuable proprietary right in licences is universally recognised.

These facts suggest a method by which to get rid of all idea of money compensation, which finds favour with some. Might existing licences, it is said, not be allowed to run for two, three, four, or ten years, as the case may be, and the holders be given to understand that after the lapse of that interval the licence would be held on the most precarious tenure? If some such method were adopted, no one, it is said, could allege that a wholesale refusal of licences did injustice to any one. On the other hand, it is urged that this is not compensation, but only a mitigation of the wrong which would still remain. A short reprieve, to be followed by certain execution, does not "compensate" a man for the loss of his life.

#### IV. THE AUTHORISED COMPANIES (LIQUOR) BILL, 1893.

*(Bishop of Chester's Scheme.)*

This somewhat complicated measure was introduced into the House of Lords by the Bishop of Chester, and its principle was received with a good deal of favour, though the second reading was negatived. The Bill does not extend to Scotland or Ireland. It provided that "a system of retail sale of intoxicating liquor by an authorised company" may be adopted for any district by the vote of the qualified voters in the district. After the adoption of this system, any ten qualified voters in the district "may submit any company, having for its object the conduct of the retail sale" of liquor, for "approval under the Act;" and, if

approved, the company is to be an "authorised company." No licence not held by the company is to be renewed after five years from the formation of the company. Within that time the company may, on reasonable notice, require the holder of a licence to surrender it to them; and the holder of a licence may require the company to accept the surrender of his licence. *Compensation* for the surrender is to be given to the persons interested in the licence, and is to be duly apportioned. This is to be "the amount by which, after the passing of this Act, the value of the premises, when used as licensed premises, exceeds the value of the premises when not so used." The proportion of licences under the Bill is one to a thousand of population in an urban, and one to six hundred in a rural district. The authorised company may pay a dividend not exceeding five per cent. on paid-up capital. All surplus profits, after payment of dividend, and payments to reserve fund, as authorised by the Act, are to be paid to the local authority of the district, and are to be applied by them "for such local objects of a public or charitable nature, not for the time being wholly maintained out of the rates, as may be selected by the company, with the approval of the local authority." There are savings in the cases of hotels, refreshment rooms, and clubs.

#### V. GROCERS' LICENCES.

In Scotland, quite independently of the more drastic reforms above referred to, the proposal has long been agitated by many to withdraw from grocers all licences to sell intoxicating liquors. These licences are granted in virtue of sect. 2 of the Act 16 and 17 Vict. c. 67 (the "Forbes Mackenzie Act," passed in 1853, Mr. Gladstone being Chancellor of the Exchequer). A Bill to effect the abolition of such licences in Scotland, the Abolition of Grocers' Licences (Scotland) Bill, 1893, was introduced into the House of Commons by Sir John Leng, Mr. M'Lagan, and others. The Bill proceeds on the preamble that "the combination of the grocery and spirit trade in Scotland has been productive of great evil," and its provisions are limited simply to enacting that no licences be granted to these dealers after 1st April 1896. It cannot be denied that at present in some places there is considerable abuse of this privilege granted to grocers. It is notorious that some small dealers are in the habit of supplying liquor to house-wives, taking payment therefor under the name of groceries which have never been supplied. Where this abuse exists, it entails serious hardship on the husband and breadwinner, as can readily be imagined. At the same time, there is good reason to believe that the evil is not widely spread, and certainly the vast majority of grocers do not stoop to such

practices. It is to be noted, however, that this proposal finds the support of many who do not approve of prohibition, reduction of the number of publicans' licences, or even of local option. This is on the ground that, as they contend, there is no special connection between the ordinary business of a grocer and the retailing of intoxicating liquors; that it would be just as reasonable to grant licences to bakers, or butchers, or any other tradesmen; and that it is a pernicious practice to offer this temptation at a shop where women have frequent occasion to go, and pretexts for going, in order to purchase their provisions. On the other hand, there is no doubt that much of the most respectable trade in the country is in the hand of grocers, and that to deprive them of licences would concentrate a great monopoly in the hands of a few merchants in the large towns. A compromise which has been suggested is that a grocer should not be allowed to sell liquor in less than certain specified quantities—say a quart of spirits, or a dozen pints of beer.

## VI. SUNDAY CLOSING.

In Scotland and Wales, and in Ireland, with the exception of the five chief towns, public-houses are closed on Sundays. It is proposed to give local authorities in England power to close all public-houses within their jurisdiction on Sundays. At present in London the hours of opening on Sundays are from 1 o'clock to 3 o'clock, and from 6 o'clock to 11 o'clock. Elsewhere they are from 12.30 to 2.30, and from 6 to 10. A summary of arguments for and against the proposed change will be found in Buxton's *Political Questions* (ed. 1892, p. 286). The Government's Liquor Traffic Bill of 1893 makes provision, as above stated, for Sunday closing in *England* by the resolution of a bare majority of electors within a certain area. The change has been too recent in Ireland and Wales to enable a fair judgment to be pronounced upon its operation; but in Scotland public-houses have been closed on Sundays for forty years, and a generation has grown up whose habits have been formed under the operation of the law of Sunday closing. There can be no doubt that the law has succeeded in Scotland, and were Scotland polled out now, the whole respectable population, of whatever shade of political opinion or religious belief, would be found to be unanimous in favour of the retention of the law. The question remains, however, whether there are not circumstances which differentiate England from Scotland. The case of London is peculiar, not only on account of the presence of a large foreign population quite unaccustomed to any Sunday restrictions whatever, but also because a considerable proportion of the male population of London take their



meals, not in their houses or lodgings, but in restaurants and eating-houses—these, however, are excepted in the Government Bill of 1893.

As regards England generally, it is keenly contended that whilst Scotsmen drink whisky, which can be kept in small quantities without deterioration, and which, large as are the quantities consumed, is not a staple article of daily nourishment, in England, on the other hand, working men drink draught beer, which cannot be kept fresh in small quantities, and which is with many of them a staple article of consumption with their daily meals. It is contended, however, by many, not unfairly perhaps from their point of view, that if peace, order, and sobriety will be materially promoted by Sunday closing, restriction on Sunday to bottled beer bought beforehand would not be too severe a price to pay for these benefits. Too much may, perhaps, be made of draught beer upon Sunday, although, no doubt, it is an argument which appeals with great cogency to many English working men. The question must be decided upon broader considerations. If the benefits from Sunday closing in England are doubtful or elusory, then Sunday closing ought to be resisted as an unnecessary interference with liberty, and an uncalled for disturbance of ancient custom. But, on the other hand, if Sunday closing is likely to result in great moral and social benefit to the community, people ought to try to do without draught beer on Sunday.

## VII. ONE MAN ONE LICENCE.

Many temperance reformers think that no man should be allowed to hold more than one licence. This is an open question, on which opinions may and will differ. On the one hand, each man holding one licence secures personal supervision, and prevents the building up of a powerful monopoly in one or two hands. But, on the other hand, it is contended that if one seeks for those public-houses which are best conducted, they are to be found in the occupation of those who have many such establishments, and have a valuable reputation to maintain.

## VIII. HOTEL LICENCES IN SCOTLAND.

In Scotland, where there is an hotel licence, drink may be supplied on Sundays to *bona fide* travellers, *i.e.*, to people who have come three miles or upwards. Consequently, hotels near mining districts, or at a distance of a few miles from other large centres of population, are often flooded on Sundays, to the great annoyance of the neighbourhood. Accordingly, in many cases hotel licences have been reduced to public-house

ones, thereby lowering the status of the houses and discouraging sojourn over Sunday. This may be remedied in two ways: (1) By abolishing the *bona fide* traveller rule, leaving the "*bona fide*" to content himself with his flask; or (2) by allowing the issue of an intermediate class of licence which, whilst not permitting sale of liquor to outsiders, whether travellers or not, on Sundays, would allow the sale of drink on Sundays as on other days to residents in the hotel.

#### IX. SALE OF DRINK TO DRUNKARDS.

A Bill was introduced into the House of Commons, in the Session of 1893, which proposed to prohibit the sale of intoxicating liquors to persons of drunken habits, as evidenced by their having been convicted of drunkenness a certain number of times. Could such a provision be made practicable, it would commend itself to many who do not hold "advanced" views upon licensing questions generally. There is a strong feeling, too, that the laws with reference to the supply of drink to intoxicated persons and to children might with advantage be strengthened, and might also be more firmly administered than is at present the case.

#### X. TEETOTALLERS ON LICENSING BENCH.

In Scotland it is considered by many an injustice that professed teetotallers should be allowed to sit on the bench to deal with the granting of licences, seeing that publicans are not allowed to act in the matter. The provision is contained in sect. 13 of the Home Drummond Act (9 Geo. IV. c. 58). It is there enacted that no Justice of the Peace or Magistrate in any county or royal burgh, who is a brewer, maltster, distiller, or dealer in or retailer of ale, beer, spirits, wine, or other excisable liquor, or who shall be in partnership with any such person, "shall act as such Justice of the Peace or Magistrate respectively in the execution of this Act." It is contended that this disqualification ought to be extended to professed teetotallers, or at all events to such of them as are on principle opposed to all licences.

## CHAPTER XXIII.

### TAXATION: IMPERIAL AND LOCAL.

ON all sides it is asserted by Radical orators that the incidence of taxation is unfair as between different classes of the community. This is a matter on which it is important the truth should be known. If it is so, it ought certainly to be put right. It will, however, be shown in this chapter, by statistics which cannot be disputed—

1. That landowners and other men of property are, as is just, subject to many taxes from which working men are wholly exempt.
2. That the taxation affecting the working classes has been steadily lightened.
3. That this has been done to a very large extent by Conservatives and Unionists.
4. That land is already burdened by taxation in a very much higher degree than property of any other kind.

First, a word as to the different classes of property which compose the wealth of the nation, and the relation they bear to each other in amount. The value of property is determined for purposes of taxation by taking its full yearly return. The following facts, which have been collected by Mr. Mallock from official statistics, are instructive:—

The whole income of the country is over . . . . .	£1,200,000,000
Of this there is derived from estates of 1300 acres and upwards, by large proprietors . . . . .	37,426,618
From estates from 700 down to 20 acres, by small proprietors . . . . .	38,273,166
From small urban and suburban proprietors of four acres to one-fourth and one-fifth of an acre . . . . .	42,899,151
Therefore, in round numbers, the income from the land of the aristocracy is . . . . .	37,000,000
The income of small owners a little more . . . . .	38,000,000
That of a still larger class still greater . . . . .	42,000,000
But it is estimated that after the income of the owners there remains, <i>after</i> the payment of rent, an income <i>from agriculture</i> derived by farmers and labourers and others of . . . . .	249,000,000

Compare with these figures those of other sources of income :—

That from dividends on capital, drawn by men of leisure, who have retired or do not need to work, or by others as "unearned" income, is .	£115,000,000
That from manufactures by masters, managing partners, and all persons in their employment .	368,000,000
That from trade by merchants, shopkeepers, and all persons in their employment . . . . .	140,000,000
That from minerals by lessees . . . . .	73,000,000
That from railways by the railway companies, &c. .	63,000,000
That from shipping by constructors of ships, &c. .	60,000,000

*Note.*—These figures were compiled some time ago, but since then the value of land has decreased. It forms a still smaller proportion of the national wealth now.

From these figures it appears that land forms by no means a large part of the wealth of the country, and that the moneyed classes who draw dividends on their capital are three times wealthier than the large proprietors who draw rent from the land, which is their capital. In other words, *land constitutes but one-third of the wealth of the country.* Yet it is this third part of the country's wealth that bears by far the greatest part of the burden of taxation. In order that this may be clearly seen, the following analysis deals with the various taxes imposed upon land as one class of taxation, those upon other or personal property as another class.

The figures given above apply to Great Britain.

The revenue of the National Exchequer of the United Kingdom is £90,000,000. Now, what are the taxes which produce this revenue?

### A. IMPERIAL TAXATION.

Taxation is of two kinds—direct and indirect. To deal first with—

#### 1. DIRECT TAXATION.

A direct tax is one which is paid immediately by or for the person out of whose pocket it comes. The most important is—

##### (a.) *Income Tax.*

This tax for 1893-4 is estimated to yield £15,150,000, the present rate being 7d. per pound.

No man whose income is less than £150 a year pays income tax. Any man whose income is less than £400 a year is exempt from the tax in respect of £120 of his income.<sup>1</sup> These

<sup>1</sup> Out of 638,408 payers of income tax in 1889, 544,600 were persons possessing incomes under £400 per annum. *Return* 228 of 1890.

exemptions were fixed by a Conservative Government under Lord Beaconsfield.

1. *On Land*.—Landowners and the owners of houses pay it on the gross rental of the property they possess without deduction. According to Mr. Gladstone, the result of this is that the landowner pays on his net income at the rate of 2d. in the pound more than do other income tax payers.

The farmer pays it, but only upon one-third of the rent which he pays to the landowner, and he may, if he prefers, claim to be assessed upon a declaration of his profits, like a tradesman or professional man. He is not tied to the rent as representing his probable profits, but the option is all in his favour. This last concession the farmer owes to Lord Salisbury's Government.

2. *On Movables*.—The owners of income from any public revenue—imperial, colonial, or foreign—pay it upon what they receive.

Persons in the service of the State, and in other public employments of profit, pay it on their salaries.

Those receiving income from professions, trades, and other occupations in life, all pay it, as a general rule, on an average of the profits of the preceding three years.

The owners of invested capital pay it on their dividends, &c.

Out of special favour to the working men, whose money is largely invested in Friendly, Industrial, and Provident Societies, these societies are exempted from the tax.

When Mr. Gladstone came into power in 1880 he found the income tax at 5d. per pound. In 1886 he left it at 8d. Under Lord Salisbury, Mr. Goschen reduced it once more to 6d., but on Mr. Gladstone's return to office in 1892 Sir William Harcourt raised the income tax again to 7d.

### (b.) *The Land Tax.*

A favourite assertion of agitators is that landowners have been unfairly relieved of the old land tax to the detriment of the rest of the nation. This is not true. The land tax was an occasional impost, subsequently levied anew each year, which came in place of the old free grants (subsidies) of the feudal vassals to their superior, the king. It was essentially a war tax, being first put on at the rate of 4s. in the £ in William III.'s time, for his campaigns, and subsequently for those of Marlborough. It was then intended to be an income tax and apply to all kinds of property, but the arrangements for collecting revenue were so defective that personal property escaped the burden and left it to be borne by land alone. The rate was low in peace time, and rose again when we were at war. But the tax was always felt to be a heavy burden, and was never considered as other than

temporary. In 1748, in the great struggle with France, Pitt passed an Act of Parliament making it perpetual at the rate of 4s. in the £, at which it then stood, but allowing it to be redeemed by a capital payment. The preamble of that Act ran: "As it may materially conduce to strengthening and supporting the public credit, and to augmenting the national resources at this important conjuncture, that the duty now payable for one year on land should be made perpetual, but subject to redemption and purchase." The right to redeem was therefore the equivalent for making the burden perpetual; the nation got the ready money it needed, and reaped the benefit in saving its freedom when every other country in Europe fell before Napoleon. As a matter of fact the place of the old land tax is now supplied by other taxes which land bears along with other property.

The right to redeem under Pitt's Act was to a large extent taken advantage of, and "Land Tax Redeemed" still forms a prominent part of advertisements in sales of land.

This power of redemption under Pitt's Act was a piece of most skilful financing, as it saved the Government from incurring debt at a time when they could only raise money on most disastrous terms, consols being at about £50 instead of £120 as they were a few years later.

The land tax yields about £1,050,000. It is borne substantially by large landowners. It should be remembered that when it was first instituted land was the chief part of the wealth of the country. Now, as we have seen, it is only a moderate part of that wealth. Those who enjoy other forms of property now receive more protection and benefit from the State than landowners. The heavy additional tax of 4s. in the £1 on land, advocated by some land law "reformers," would be equivalent to multiplying the income tax seven times against one class of the community, of whom a few may be rich, but many of whom have a harder struggle to make ends meet than the owners of personal property.

#### *(c.) Inhabited House Duty.*

*No house of less annual value than £20 pays this tax.*

This tax (which took the place of the old window tax) is, or was paid at the rate of 9d. per £ upon all houses *except* houses occupied as shops with goods exposed for sale, or farm houses occupied by tenants or farm servants, or houses occupied by persons holding beer, spirit, or wine licences, or by persons carrying on the business of hotel and coffee-house keepers, though not licensed to deal in liquors, which are or were only taxed at the rate of 6d. per £1. Business premises are exempt, and *no house of less annual value than £20 pays tax.*

Lord Salisbury's Government in 1890 reduced the duty from 9d. to 3d. and from 6d. to 2d. on the two classes of houses



respectively when under £40 in yearly value, and to 6d. and 4d. respectively when under £60, and *also* reduced it in the case of lodging-houses and houses containing artisans' dwellings.

The result of this reduction in the first year was that houses between the yearly value of £60 and £20, and artisans' lodging-houses, were relieved of the burden of this tax by £570,000.

(d.) *Death Duties.*

The total of these duties for 1893 was £9,633,364.

1. *On Land.—Succession Duty.*—Where the whole value of the succession from the same predecessor does not exceed £100, no duty is paid.

A duty is payable upon all landed estates and other real property, including leasehold property, and upon personal property passing to another person by reason of a death, and not liable to probate duty.

The rate of duty which was raised by Mr. Goschen is £1, 10s. per cent. in the case of a child or child's descendant or an ancestor. In other cases it increases according to the distance of the relationship up to £11, 10s. in the case of strangers. It is not payable by a husband or wife. In the case of real property yielding an annual income, the duty is charged upon the value of the successor's life interest.

It is sometimes said there is undue favour to landed property in the way in which succession duty is charged upon it—that is, upon a commutation of the life interest of the successor. This rule was introduced by Mr. Gladstone, who vigorously defended the distinction between realty and personalty in this respect.

The nature of money and personal property generally is that it is transferred, put out at large profit, disposed of, and spent; the nature of land is that it is transmitted from father to son, to be lived upon, but bringing in a comparatively small yearly return. Besides, a man succeeding to £10,000 of stock has no difficulty in turning part of it into ready money and devoting it to the payment of duties. Not so the man who succeeds to landed property worth £10,000. He is not in a position to obtain ready money, and it might be most improvident to sell a patch of land for this purpose. The heir of land, therefore, if he has no other means, must borrow on the land which is perhaps already burdened, and thereby encumber and embarrass his estate and deprive himself of the power of being a generous and liberal landlord. The policy of this taxation is to fix the rate upon the amount which a man really has to spend. And when a man succeeds to landed property that amount is only the life interest which he has in it, unless he is improvident.

It is no exaggeration to say that in nine cases out of ten the

succession duty upon land weighs far more heavily upon the heir than the duties upon personal estate do upon those who succeed to it. It must, however, be conceded that land is now so much an article of commerce, and the value of urban and commercial realty has increased in such large proportion in relation to that of agricultural land and residential country estates, that it is not possible to make an absolutely satisfactory defence of the inequality of the death duties considered by themselves alone. If the whole revenue of the country came from the death duties the present system could hardly be defended. But, on the other hand, income tax is levied on the gross rental of land, not on the net return. The effect of this, according to Mr. Gladstone, is that an income tax of 7d. on real property is equivalent to an income tax of 9d. on personal property. If there is to be equalisation it ought to be equalisation all round. The inequality of the death duties is a trifling matter compared with the inequality of local taxation under which a man who draws £1000 a year from real estate, whether in town or country, pays, it may be, £50 a year for the relief of the poor, whilst the man who draws £1000 a year from, say an American investment company, pays not one penny out of it for poor relief. Death duties are often a heavy burden upon the fatherless, and there is much to be said for the view that in the case of all estates of moderate amount they should be equalised, not by levelling the rate on realty up, but by levelling that on personalty down.

(2.) *On Personalty.*—1. *The Inventory or Probate and Account Duty.*<sup>1</sup>—All estates not exceeding £100 in value are wholly exempt.

A stamp duty is imposed upon all personal estate passing in consequence of a death, to be paid when the inventory is given up or the account delivered. On small estates the rate varies according to the value of the estate, but the average rate is about 2 per cent. on estates of from £100 to £500; 2½ per cent. from £500 to £1000; and 3 per cent. over £1000. But where the whole value of the estate does not exceed £300, the duty is 30s. and no more.

The estates of soldiers, sailors, or marines killed or dying in the service of their country are exempt.

2. *Legacy Duty.*—This duty is imposed upon all legacies or benefits received by will, whether payable out of real or personal estate, or whether annuities on specific sums of money. It is at the rate of 1 per cent. where the gift is to children or their

<sup>1</sup> One-half of this tax is now assigned for local purposes, and is hardly therefore an imperial tax, but is rather a contribution by personalty to local burdens. Against the other half, which is an imperial tax, must be set the addition which Mr. Goschen made to the rates per cent. of succession duty, which are now higher than those of legacy duty.

descendants, to a father or mother, or a husband or wife, and at higher rates when the gift is to other persons, increasing according to the distance in relationship, up to 10 per cent. in the case of strangers.

Where the estate does not exceed £100, no legacy duty at all is paid.

Where it does not exceed £300, the payment of the 30s. inventory duty frees from both inventory and legacy duty. In the case of children and others paying the 1 per cent. duty, the payment of the inventory duty frees from further claims for legacy duty upon personal property. But this exemption does not extend to legacies or successions payable out of real property or out of foreign assets, or to real property, or to relatives further removed, or to strangers.

A further privilege is conferred upon the savings of working people by the provision that any legacy or residue bequeathed out of the deposits of a deceased depositor in a savings bank, not exceeding the value of £50, is in all cases exempt from duty.

No duty is in practice exacted upon sums not exceeding £100, paid over under Acts of Parliament dealing with the property of deceased soldiers and sailors, prize-money, and civil pay or pensions, to the representatives of the deceased. Where the value of the personal estate of the deceased does not exceed £300, it always escapes legacy duty.

3. *Estate Duty*.—Lord Salisbury's Government in 1889 placed an additional tax of £1 per cent. upon all real and personal successions exceeding £10,000 in value. This resulted in a return of £789,000 the first year.

## 2. INDIRECT TAXATION.

An indirect tax is one put upon a particular thing when it is made, imported, or sold, and which may more or less raise its price in the market. If it does so to the full extent it is then paid by the consumer. A large revenue, however, may sometimes be yielded to the State from an indirect tax without at all affecting the general consumer. It may simply reduce the profits of the foreign producer or the middleman.

Indirect taxes may be placed under three heads—Customs, Excise, and Stamps.<sup>1</sup>

### (a.) *Customs or Import Duties.*

The estimated sum to be derived from these duties in 1893-4 is £19,650,000. The following are the more important articles

<sup>1</sup> It is arguable whether these are a direct or an indirect tax.

subject to import duty before being admitted into Great Britain, and the rate charged upon them:—

Cocoa or chocolate . . . . .	per lb.	1d.
Coffee . . . . .	„	2d.
Figs, plums, prunes, raisins . . . . .	per cwt.	7s.
Currants . . . . .	„	2s.

This duty was reduced from 7s. to 2s. by Lord Salisbury's Government, which lightened the tax by £190,680 the first year of its operation.

Tea . . . . .	per lb.	4d.
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This tax was reduced by Mr. Goschen from 6d. to 4d. per lb., which lightened the tax by £1,090,506.

**Tobacco—**

Cigars, reduced by Mr. Goschen from 5s. 6d. to . . . . .	per lb.	5s.
Cavendish or negrohead, reduced by Mr. Goschen from 4s. 4d. to . . . . .	„	4s.
Unmanufactured tobacco with 10 per cent. of moisture . . . . .	„	3s. 2d.
Do. with less than 10 per cent. of moisture . . . . .	„	3s. 4d.

Wine . . . . .	per gall.	1s. to 2s. 6d.
Champagne (over and above wine duty) . . . . .	„	2s.
Spirits . . . . .	„	10s. 10d.
Perfumes . . . . .	„	17s. 3d.
Liqueurs . . . . .	„	14s. 8d.
Beer . . . . .	per 36 galls.	6s. 6d. to £1, 10s. 6d.

(b.) *Excise.*

The estimated sum to be derived from these duties in 1893-4 is £25,100,000. The only articles of importance subject to them are home-made spirits and beer. The sums derived from the granting of licences used to be reckoned under this head, but Mr. Goschen transferred them to the relief of local taxation. The revenue derived from beer and spirit duties in 1893 amounted to £24,729,960.

From the foregoing it will be seen that no necessary articles of consumption (except, perhaps, tea) are subject to taxation, any one of these articles can be dispensed with, and no one need pay one penny towards the revenue of the country unless he chooses. It will also be seen that Mr. Goschen reduced the rate of taxation upon those articles which are commonly used by the poor, such as tea, tobacco, currants, whilst he increased that on champagne and other sparkling wines, which are the luxuries of the rich.

Whilst these taxes are borne alike by rich and poor, there are many taxes which come under the head of excise borne exclusively by the rich.<sup>1</sup> They pay from 1 to 2 guineas upon their armorial bearings, from 2 guineas to 15s. for their carriages, 3 guineas for licence to shoot, 7s. 6d. for each dog, and £2, 2s. for each man-servant. Railway companies pay a duty upon the passengers they carry; house agents, auctioneers, beer dealers, brewers, chemists, game dealers, bankers, solicitors, and the followers of many other businesses and professions all have to take out licences and certificates to entitle them to carry on their daily work. The only working-man licence of the kind is that of the hawker, whose licence Lord Salisbury's Government reduced from £2 to £1.

It is frequently asserted by the Gladstonians that the poor man pays more in taxation for a shilling's worth of tea or tobacco than a rich man does. They suggest that cheap tea, cheap tobacco, &c., ought to be charged at a much cheaper rate per lb. than the dear tea, tobacco, &c., which the rich use. At present a duty of 4d. per lb. is charged on tea whether it be worth 1s. or 4s. Thus the man who buys tea at 1s. per lb. pays 4d. in the 1s., while the man who buys tea at 4s. per lb. only pays 1d. in the 1s. They say the duty should rise along with the price.

To this complaint there is an overwhelming reply. The practical machinery for the collection of such a tax cannot be supplied. It is impossible. As far as it is possible it is already carried out, viz., as is the case with wine and beer, cigars and tobacco. Mr. Gladstone reduced the duty on cigars from 9s. to 5s. without any corresponding reduction in the tobacco duty. The Gladstonians and their friends have during the greatest part of the present century had the opportunity of supplying the machinery, but they have never attempted to do so. They do not now suggest how it can be done, and Mr. Gladstone has himself declared that it cannot. If it could be done the Conservatives would be more likely to do it than the Gladstonians, for though the Gladstonians were in office from 1880 to 1885 they did not give any remission at all upon any single article consumed by the poor man, whilst Lord Salisbury's Government remitted the duty upon several articles, as mentioned in the foregoing table.

### (c.) *Stamp Duties.*

These are charged upon deeds, receipts, transfers, &c., and they yielded in 1892-93 a sum of £5,437,794.

Sir William Harcourt in 1893 increased the stamp on con-

<sup>1</sup> These excise licences ought perhaps strictly to be classed as direct taxes.

tract notes for or relating to the sale or purchase of any stock or marketable security of the value of £100 or upwards, from 6d. to 1s., while abolishing that on foreign and colonial share certificates and securities transferable by delivery.

#### REMISSION OF TAXATION BY THE UNIONIST GOVERNMENT.

In 1874 Sir Stafford Northcote *abolished the tax on sugar*, which had produced a revenue of £2,000,000. The poor must always thank the Conservatives for the boon of cheap sugar.

In 1874 Sir Stafford Northcote took off the duties on horses and horse-dealers.

In following out this policy Lord Salisbury's Government reduced the duty on tea by 2d. per lb., therefore a family of five persons, if they consume 1 lb. of tea per week, saves 8s. 8d. a year in tea alone.

The duty on currants was reduced by 5s. a cwt., and as the consumption for each family in the kingdom is about 20 lbs. a year, there is an average saving of nearly 1s. a year. Lord Salisbury's Government reduced the duty on tobacco by 4d. per lb., therefore a working man who smokes, say 2 oz. a week, saves 2s. a year by this reduction.

In addition Lord Salisbury's Government relieved the poor from payment of school fees; this is a boon worth at least 6d. a week to a working man with a family.

They reduced the duty on houses under £60. They also gave four millions a year in relief of local taxation, that is, about 2s. per head for every inhabitant.

Taken altogether, by the action of the late Unionist Government, a labouring man with a family is better off than he was before that Government came into power by more than 1s. a week in rates and taxes alone.

#### TAXATION OF REALTY AND PERSONALTY.

The various taxes which go to form the Imperial revenue have now been dealt with. But before passing from this part of the subject to local taxation, it may be as well to call attention to one or two important facts. It will be seen that where a tax is levied upon the poor man, it is always levied upon the rich man also; that a poor man *pays nothing* in direct taxes, and *need pay hardly anything* in indirect taxation; that necessaries which the poor use, if charged duty at all, are charged at a very small rate; that these rates were greatly reduced by Lord Salisbury's Government; that the rich pay



the whole of the direct and many of the indirect taxes, from which the poor are wholly exempt.

Further, it will be seen that of the direct taxes all affect landed property, whilst only two—income tax and succession duty—affect personal property. In addition to this, the whole of the local rates are borne exclusively by land.

In consequence of this system of placing nearly all local taxation upon landed property as contrasted with personal, a person deriving his income from realty pays three times as much in taxation as a person deriving a like income from personal property, such as capital invested in stock of any kind. Yet it is one of the cries to the Gladstonians that land should be still further taxed.

Why should a man who draws £1000 a year from Turkish Bonds or American mines pay less for the relief of the poor and the education of the people than the man who draws £1000 a year from land or house property in this country? Income from land is more precarious than income from many other sources which escape local taxation. In bad seasons the landlord has often to grant an abatement, and at all times there are calls upon him for support of local charities and schemes of public usefulness out of all proportion to what is demanded of the man who draws a like income from personal property.

The heavy taxation which is already borne by land affects the whole agricultural community. It tends to keep rents high and wages low, and to discourage the execution of improvements. Further taxation of land would be disastrous to all who are interested in the agricultural industry. Land is the raw material of the business. Tax the raw material, and the burden is felt by all who draw profits from the trade. There are three profits from land—the owner's, the farmer's, and the labourer's. These all come out of one fund—the annual yield of the land. Diminish that fund, and there will be so much the less to divide, and all three interests will suffer. Three parties are squeezing the sponge each into his own jug. If the water in the sponge be reduced, all will squeeze harder, but each will get less.

In the case of the person who derives his income from trading companies and other investments, the case is quite different. No one connected with his investments is dependent on him; he has probably never seen the undertaking or one of the workers connected with it. He is not called upon to return one penny to the place from whence his income comes. His financial position can affect no one but himself. It is plain, therefore, that if any distinction at all is to be made in the taxation of property, that which will affect the working man least is the extra taxation not of real but of personal

property. Place a rate on the income from the stock of any Government at home or abroad, foreign companies, mortgages, debentures, municipal stock, &c., and nobody but the person who has to pay the rate is affected. But place a new one on land, and the result will eventually be an increase in the rent of farms and a reduction in the wages of the agricultural labourer. Although Great Britain is a great manufacturing country, it must not be forgotten that agriculture is after all by far the most important industry.

## B. LOCAL TAXATION.

In dealing with Imperial taxation, matters have been dealt with in which the same rules apply to England and Scotland. It is widely different in dealing with local rates. In England the rates are, as a rule, paid wholly by the occupier. The main feature of the Scottish system is the division of local rates between owners and occupiers. In England the tithe was paid by the occupier until 1891, when the Tithes Act, passed by the Conservative Government, put the payment upon the owner directly and relieved the occupier. In Scotland the teind is paid wholly by the owner. But while in Scotland there are no county rates that fall wholly upon the occupier, there are many that have been hitherto paid only by owners, and will still be paid by owners alone to a very large extent.

### I. ENGLAND.

The law throws all rates on the occupier, whether he be owner, tenant, or sub-tenant. There is an exception in the case of the main drainage (sewage) rate, and in that of rates on houses assessed at less than £20, but these exceptions can be over-ridden by private contract. Local taxation in England has not been so systematised as in Scotland, and there are many local and special arrangements. No attempt is therefore made to explain English local taxation in detail, as is done in the succeeding paragraph for Scotland, as too much space would thereby be occupied. English rates, however, may be classified under the following heads. The amount set opposite each is the sum raised in the year 1890-91, according to the "Statistical Abstract."

Poor rates . . . . .	£7,474,099
School Board rates . . . . .	2,967,421
Metropolitan Board of Works (London County Council) . . . . .	1,718,951
Vestries and District Boards . . . . .	1,808,777

Corporation and Commissioners of Sewers of the City of London . . . . .	£419,909
Metropolitan Police . . . . .	790,826
Municipal Borough . . . . .	1,311,824
Urban Sanitary Authorities . . . . .	7,284,280
Lighting and Watching under 3 & 4 Will. IV., c. 90 . . . . .	23,872
Rural Sanitary Authorities . . . . .	411,971
County Treasurers . . . . .	1,677,791
Burial Boards . . . . .	178,030
Highway Boards . . . . .	1,330,420
Commissioners of Sewers and of Drainage and Embankments . . . . .	292,453
Church Rates . . . . .	5,723
Other Authorities . . . . .	131,889
Total . . . . .	£27,828,236

These figures are exclusive, as far as possible, of receipts for gas and water. The price of water is in many places a very serious increase to the burden of the rates.

## II. SCOTLAND.

### (1.) *County Rates.*

(a.) Payable hitherto by owners only:—

1. County General Assessment, including expenses of militia barracks, salaries of officials, &c., &c., and every rate not otherwise provided for.
2. Police.
3. Valuation.
4. Registration of voters.
5. Court-houses.
6. Lunacy.
7. Cost of construction of new roads and bridges.
8. Rates levied for repayment of debt, under the Roads and Bridges Act.

The average of each of these rates, except those for construction of new roads and bridges, and repayment of debt, over a period of ten years, has, under the Local Government Act of 1889, to be struck, and will form a permanent rate upon owners only. The burden upon them may increase, but can never in future be lightened. Where the amount required exceeds this stereotyped rate, the excess will be divided between owner and occupier according to the general rule. The charge for interest and repayment of debt incurred prior to 1890 will continue to be paid by owners only until the debt is extinguished.

(b.) Payable one-half by owners and one-half by occupiers :—

1. The assessment for roads and bridges.
2. The assessment under the Public Health Acts.

As the amount per £ of these rates varies not only in every county but in every district, it is impossible to give the exact sum charged, as has been done in the case of Imperial taxation. For the sake, however, of comparing the amount payable by the owner in distinction to the occupier, an example may be taken from what may be called an average Lowland county, and there it appears that the owner pays upon assessments charged against him alone 3½d. per £, and 2¾d. upon those he shares with the occupier. That is, the owner pays 6¼d. per £ per annum, and the occupier 2¾d., or, in other words, the owner pays a good deal *more than double*. Proprietors are charged with the occupiers' rates on subjects let for less than a year, or at and under £4, but they can recover the amount from their tenants. This, however, is seldom done.

Under Lord Salisbury's Local Government (Scotland) Act all county consolidated rates must in future be imposed upon the owners and occupiers of all lands and heritages entered in the valuation roll; but the County Council has special power to relieve any occupier of lands and heritages under the annual value of £4 sterling on the ground of poverty. The Local Government Act gives a special privilege to service franchise occupiers. All others lose their right to vote on failure to pay the consolidated rate. But as it is expressly provided that no person is liable to be rated in respect of the entry on the roll of the houses occupied by service franchise holders, the value of which is slumped in the general rates paid by the landlord, should the landlord waive his right to ask or to recover the relief of the rate in respect of the house he is entitled to from the service occupier, this does not deprive the latter of his right to vote.

It has in many cases not been the practice of landowners to exact from small occupiers repayment of the occupier's share of the rate, and this will probably continue to be the case.

## (2.) *Parochial Rates.*

(a.) Payable half by owners and half by occupiers.

1. The Poor rate (including rates for burial, registration, &c.).
2. The School rate.

These rates are levied upon the owners and occupiers of lands and heritages of not less than £4 of annual value. The Parochial Board has power to exempt persons from payment of poor rate on ground of inability to pay.

*(b.) Payable by owners only.*

The parish assessments, which fall upon owners only, are the ecclesiastical assessments levied for building and repairing churches and manses. When it is a case of repair, the assessment is made merely upon the valued rent appearing on the old cess-books, and falls only upon the old heritors, unless the church has been rebuilt and the seats allocated according to the real rent; when it is a case of rebuilding, the assessment is imposed upon the old valued rent, or upon the rent appearing in the valuation roll, according as the parish is or is not entirely rural and agricultural.

*(3.) Burgh Rates.*

The rating in burghs depends to a large extent upon the provisions of special Acts of Parliament, but the general effect is that rates are paid to a much larger extent by occupiers in comparison with owners than is the case in the counties. The ordinary police assessment is leviable from occupiers only; the sewer and foot pavement rates from owners; the general improvement rates from owners and occupiers, and the private improvement rate from owners or occupiers, according to circumstances.

As these rates have more to do with municipal than public policy, it is not our province to enter into them here.

According to the "Statistical Abstract," the total receipts by local authorities in Scotland for the year 1889-90 was:<sup>1</sup>—

Rates . . . . .	£3,557,565
Toll dues, &c. . . . .	1,033,223
Rents, interest, &c. . . . .	241,872
Sales of property . . . . .	4,935
Government grants . . . . .	964,525
Loans . . . . .	1,410,398
Miscellaneous . . . . .	360,986
Total . . . . .	£7,573,504

## GRANTS IN AID.

Lord Salisbury's Government have relieved the rates to a very large extent by grants from the Imperial revenue. In 1889 the Government made over to the local authorities the proceeds of certain licences and the probate duty. The change of the system has resulted in benefiting the local funds by about £4,500,000 a year. In the year 1891-92 the amount derived

<sup>1</sup> The Scotch receipts for later years are not included in the last "Statistical Abstract" (1893), which is always several years behind date in regard to these statistics.

from licences and probate duty, and the new taxes on drink, and handed over to relieve local taxation, was £7,581,832.

The totals of the grants for local purposes and of transferred licences, &c., under the two Governments, as shown at pages 14, 15, and 29 of the "Statistical Abstract," are as follows:—

GLADSTONE GOVERNMENT.			SALISBURY GOVERNMENT.		
1880-1—Grants in Aid .	£4,914,000		1886-7—Grants in Aid .	£5,854,000	
1881-2       "       " .	5,096,000		1887-8       "       " .	6,203,000	
1882-3       "       " .	5,763,000		1888-9       "       " .	5,661,000	
1883-4       "       " .	5,640,000		"       Probate duty .	1,400,000	
1884-5       "       " .	5,593,000		1889-90—Grants in Aid	3,338,000	
1885-6       "       " .	5,775,000		"       Licences and		
			Probate duty	5,185,000	
			1890-1—Grants in Aid .	3,206,000	
			"       Licences and		
			Probate duty	6,974,000	
			1891-2—Grants in Aid .	3,345,000	
			"       Licences and		
			Probate duty	7,581,000	
<hr/>			<hr/>		
Total relief of Local			Total relief of Local		
Taxation . . .	£32,781,000		Taxation . . .	£48,747,000	

In regard to local taxation, therefore, Lord Salisbury's Government assisted the county and borough rates by more than FIFTEEN AND A HALF MILLIONS in excess of the relief they received from Mr. Gladstone's ministry. It must not be forgotten also that the working man got more out of the Government of Lord Salisbury than out of any preceding Government. He received the boon of *free education* without increase of the rates, and largely from funds found by taxation of property, from which very small estates are exempt.

For 1890-91 ("Statistical Abstract," 1893) the total revenue from all sources of local authorities in the United Kingdom was—

England and Wales . . . . .	£58,543,947
Scotland (1889-90) <sup>1</sup> . . . . .	7,573,504
Ireland . . . . .	4,499,500
Total . . . . .	£70,616,951

This shows an increase of £30,000,000 in twenty years.

### IMPERIAL AND LOCAL TAXATION TOGETHER.

Taking the reduction of Imperial taxation and the relief given to the local funds together, it may be fairly claimed that on the above showing, for which unimpeachable authority is given, the Unionist Government, during their tenure of office, lightened

<sup>1</sup> See note, p. 441.



the burdens of the people by upwards of 30 millions of pounds.

The various burdens imposed upon the citizens of this country for the necessary public purposes of the nation to which they belong, and of the community in which they live, have now been reviewed in their order. It has been shown that *where a tax is levied upon the poor man it is always levied upon the rich man also*; that *exemption from taxation is given to the poor, not to the rich*; that *there are many taxes which to a large extent affect only the holders of lands and heritages*. To a very large extent relief has been given to the poorer contributors to the national purse by Conservative Governments, notably by Lord Beaconsfield and Sir Stafford Northcote, in abatements and exemptions under the income-tax, and by Lord Salisbury and Mr. Goschen in the cases of returns by tenant-farmers under the income tax, the tea duty, and the tobacco duty. Additional burdens were imposed upon the rich propertied classes by Lord Salisbury's Government, by the increased taxation on foreign wines, and on estates of over £10,000. It cannot be said that in dealing with Local Government in Scotland the same Government was unduly favourable to the owners of property, for while taking from them the management of the county affairs, of which they bore the whole cost, it has left them with the special and permanent burden of all the rates they had been paying for the last ten years. It is certain that the changes made during the reign of the late Unionist Government were more favourable to the working classes than any effected during a similar period under previous administrations.

### THE RADICAL TAXATION MEMORIAL.

This chapter would not be complete without a short reference to the recent memorial upon the subject of taxation presented to Sir William Vernon Harcourt, Chancellor of the Exchequer, by a number of Radical members of Parliament on 12th January 1894.

The memorial opens with the following statement:—

"The proportion of their income paid in taxation by the poor is greater than that paid by the rich, and though this anomaly is no doubt largely due to the incidence of alcoholic duties which it is obviously undesirable to reduce, yet the enormous contribution of the poorer classes under this head ought in fairness to exempt them from any other indirect taxation."

It has been shown in the foregoing pages that the humbler classes pay no direct taxes, and need pay nothing towards indirect taxation except the duty on tea or coffee. That a certain section of the people spend a large portion of their income upon alcohol and tobacco, and therefore pay customs and excise duties,

is no doubt true. On the other hand, a large portion of the wage-earning community, who neither smoke nor drink, pay nothing towards the revenue from tobacco or drink.

The memorialists, however, appear to recognise the beneficial results of the taxation of alcoholic liquor, and therefore content themselves with asking for a remission of the other indirect taxes, which, they maintain, weigh heavily upon the poor. These, they state, are the duties on tea, coffee, cocoa, and dried fruits. No one can say that at present any of these articles of consumption are placed beyond the reach of the poorest by their excessive price. They can be obtained by all but the veriest pauper. It is very difficult to follow the argument that because a section of the humbler classes contribute largely towards the revenue through the consumption of alcohol, therefore the large section who do not contribute in this way should be exempted altogether from taxation whilst still retaining an equal share in the government of the country.

So little urgency does there seem to be in the cry for a remission of all duties other than those on alcohol, and possibly on tobacco, that the duties which are to be substituted for indirect taxation would require to be of an exceedingly light and attractive nature.

The first suggestion is that the death duties should be consolidated and levied on a graduated scale, viz., that 4 per cent. should be charged on estates between £4000 and £10,000; 5 per cent. on estates between £10,000 and £50,000; 7 per cent. on estates between £50,000 and £100,000; 8 per cent. on estates between £100,000 and £500,000; and 10 per cent. on estates exceeding £500,000.

With regard to the principle of graduation, it may be pointed out that the Unionist party were the first to recognise its importance. Although the government of this country had been generally in the hands of the Liberal party during the last fifty years, it remained for Lord Salisbury's Government to take the first step in this direction. In 1889 the Government instituted an additional tax of 1 per cent. on all estates, real or personal, of £10,000 and upwards.

The question of realty and personalty has already been dealt with; it need only be added here, that were the succession duties on land to be increased, the great difficulty which is often experienced of turning real property into money at short notice would render a succession of this kind often an exceedingly onerous and embarrassing one, and would encourage processes of borrowing and anticipation which would be fatal to a liberal exercise of the rights of ownership in the future. It must also be borne in mind that realty bears the whole burden of direct local taxation.

It appears to be very doubtful whether it would be desirable to increase the present rates, except, possibly, on very large estates. Very high duties are sure to be evaded. The death duties, too, as at present imposed, are often felt to be a serious burden upon the widow and fatherless, who, by the premature death of the head of the family or from other causes, frequently find the family income grievously curtailed.

To abolish taxation which is felt directly by no one, which in great part need not be contributed to unless willingly by any one, and without which the responsibilities of national citizenship could not be brought home in any way to a large section of the population, and to replace it by an increase of duties which are already felt to be sufficiently onerous, seems a policy of doubtful value.

Another suggestion of the memorialists is the introduction of a graduated system of income tax. As is pointed out above, the rate is graduated already as regards small incomes. When this matter was dealt with by Sir Stafford Northcote, Mr. Gladstone made a weighty protest against the extension of the system, and pointed out the danger lest a graduated income tax should become an instrument of confiscation directed by the many against the few, and should lead to a paralysis of higher commercial and professional enterprise. The memorialists also suggest that a higher rate should be levied upon income from realised wealth than upon income dependent upon personal exertions. These proposals deserve fair consideration<sup>1</sup> so long as they are not made contingent upon such a remission of other taxes as would exempt a large portion of the electorate from all share of the burdens of citizenship. The memorialists, it may be observed, do not propose to redress the inequality under which realty virtually pays 2d. in the £1 more income tax than personalty, through the tax being assessed upon the gross and not upon the net revenue.

The remaining suggestion contained in this memorial is that the present system of giving grants in aid towards local taxation from the Imperial revenue should be reversed, and that henceforth no further grants should be made. These grants, it may be observed, were introduced by a Liberal Government.

The memorialists represent that grants in aid have largely increased within the last few years. Strictly speaking, this is not so. On the contrary, they have been largely diminished, whilst their place has been taken by the proceeds of certain

<sup>1</sup> The revenue officials, however, declare a system of graduated income tax impracticable. The difficulty of collection would be very great. At present a great part of the income tax is collected not directly from the income tax payers, but from the companies in which they have shares, or from their debtors, vassals, &c., who in turn deduct it from the interest, feu duty, &c.

taxes which have been specifically appropriated for local purposes, according to a plan which Mr. Gladstone had repeatedly advocated.

At present, even with all this assistance, local rates throughout the country are excessively high, and are felt to be a burden by rich and poor alike, to a much greater extent than any of the Imperial taxes. Why a proposal which might lead to the still further increase of these most unpopular rates should be made it is difficult to see. In the present time of agricultural depression an increased taxation in certain districts would entail the most serious consequences, and would certainly be resented by the well-to-do wage-earners, farmers, and shopkeepers most keenly. It would be intolerable that owners and occupiers of land and houses should have to bear the whole burden of local expenditure, whilst persons of great wealth from other sources were practically exempt, the value of the houses they occupy being trifling in comparison with their realised means and annual income. The proposal of the memorialists is to relieve those people of even the little that they now contribute through Imperial taxes to local burdens, and to raise the amount required by a tax on land values, and a municipal death duty. The proposal for a municipal death duty seems strangely incongruous with the other proposal for a large increase in the Imperial death duties. If the Radicals have their way, this country may still be a pleasing place in which to live, but it will be a terrible place in which to die.

The object of the memorial is not difficult to see; it is an attempt to raise an issue between rich and poor, and it is meant as an electioneering cry. Surely the wage-earning class—which one of the memorialists maintains forms 85 per cent. of the population—do not desire to be entirely relieved of the duty of contributing towards the necessary expenditure of the State. It is their privilege to be British subjects, to enjoy the protection of British laws, and to share in British liberty. These privileges can bring no honour to those who refuse to bear their fair share of the burden of British Government. The British artisan and working man ought to resent proposals which will deprive him of all moral right to any share in the maintenance of the fabric of the British empire. Those who supply the material of government are alone justly entitled to direct the policy of the nation.

## CHAPTER XXIV.

### THE CONSTITUTION AND THE FRANCHISE.

THE British constitution is a mixed constitution. It is a limited monarchy. It has been said of it that "a republic has insinuated itself beneath the folds of a monarchy." It has preserved the best features of monarchy, while it has adopted the best qualities of the republican form of government. The best constitution is that in which the prominent institutions are of two kinds: first, those which excite and preserve the reverence of the populace, the stately parts; second, those by which it actually does its work, the active parts. In the British constitution the chief among the former is

### THE SOVEREIGN.

The Queen and the Royal Family make the ideas of government intelligible to the great masses of the people. "The nature of a constitution, the action of an assembly, the play of parties, the unseen formation of a guiding opinion, are complex facts, difficult to know and easy to mistake. But the action of a single will, the fiat of a single mind, are easy ideas."<sup>1</sup> In England the Queen is the head of the religion of the State. The succession to the throne is regulated by the Act of Settlement of 1701, by which, several nearer branches of the house of Stuart who were Roman Catholic being passed over, the succession to the throne was settled on Sophia, the Electress-Dowager of Hanover, a granddaughter of James I., and the heirs of her body, *being Protestants*. The Queen is also the head of society, and worthily gives to it its best tone.

### THE COST OF THE MONARCHY.

It is sometimes said that the monarchy is a burden upon the taxpayer. What is the truth in regard to this? In former times our kings drew the whole hereditary rents, rates, duties, payments, and revenues of the Crown. But George III. and his successors have on their respective accessions made over these properties to Parliament, and in lieu thereof a statute has been

<sup>1</sup> Bagehot, *The English Constitution*, p. 33.

passed at the commencement of each reign to make adequate provision for the maintenance of the Crown. The statute passed at the commencement of the present reign is the Act 1 & 2 Vict. c. 2, which declares that the hereditary rates, duties, payments, and revenues in England, Scotland, and Ireland belong and are payable to Her Majesty, and states that she places the same at the disposal of Parliament, "feeling confident that adequate provision will be made for the honour and dignity of the Crown." By this statute the Civil List or annual allowance granted to Her Majesty is £385,000. The Civil List of George II. was £800,000; that of George III., in 1815, amounted to £1,030,000; and during the reign of William IV. the Civil List amounted to £510,000; so that it will be seen that the allowance to the present sovereign is very moderate indeed in comparison with that of her predecessors. The manner in which the royal income granted to Her Majesty is to be applied is strictly defined as follows:—

Her Majesty's Privy Purse . . . . .	£60,000
Salaries of H.M. Household and retired allow- ances . . . . .	131,260
Expenses of H.M. Household . . . . .	172,500
Royal bounty, alms, and special services . . . . .	13,200
Unappropriated moneys . . . . .	8,040
	<hr/>
	<u>£385,000</u>

Her Majesty also receives the revenues of the Duchy of Lancaster estates, which in 1892 amounted to £48,000.

In addition to the income granted to Her Majesty, Parliament has also made grants payable annually for the support of the Royal Family. These grants are as follows:—

Prince of Wales . . . . .	£40,000
(Note.—The Prince of Wales, as Duke of Cornwall, also receives the income of the Duchy estates, which in 1892 amounted to £63,848.)	
Prince of Wales' children . . . . .	36,000
(Note.—This grant is under 52 & 53 Vict. c. 35, by which the grant to the Prince of Wales' children is fixed during the present reign at the above sum.)	
Princess of Wales . . . . .	10,000
Princess Royal (Empress Frederick of Germany)	8,000
Duke of Saxe-Coburg-Gotha . . . . .	10,000
Princess Christian of Schleswig-Holstein . . . . .	6,000
Princess Louise, Marchioness of Lorne . . . . .	6,000
Duke of Connaught . . . . .	25,000



Princess Henry of Battenberg . . . . .	£6,000
Duchess of Albany . . . . .	6,000
Duchess of Mecklenburg-Strelitz . . . . .	3,000
Duke of Cambridge . . . . .	12,000
Princess Mary of Teck . . . . .	5,000
	<hr/>
	£173,000
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The total cost of the monarchy is therefore made up as follows:—

Her Majesty's Civil List as fixed in 1837 . . . . .	£385,000
Annual grants to other members of the Royal Family . . . . .	173,000
Salary of the Viceroy of Ireland . . . . .	20,000
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	£578,000
From this must be deducted the revenue of the Crown lands belonging to the sovereign and surrendered to Parliament, the revenue of these in 1889 being . . . . .	490,000
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Leaving the annual cost to the taxpayer . . . . .	£88,000
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This last sum represents a sum of between  $\frac{1}{2}$ d. and  $\frac{3}{4}$ d. per head of the population, and it must be kept in mind that the great burden of the taxation, both direct and indirect, falls upon the wealthy. Mr. Mundella, the Gladstonian member for Sheffield, has said that the allowances for royalty are a mere flea-bite in taxation compared with some bad legislation or some miserable war. The annual income of other sovereigns may be compared or rather contrasted:—

Emperor of Russia . . . . .	£2,050,000
Sultan of Turkey, variously estimated between £1,000,000 and £2,000,000, say . . . . .	1,500,000
Emperor of Austria . . . . .	780,000
German Emperor . . . . .	675,000
King of Italy . . . . .	614,000
Civil List and allowances to relatives of late King of Spain . . . . .	374,000
The annual cost of the Republican Government of the United States is . . . . .	954,000
In France it is . . . . .	506,000

The Queen pays income tax upon her private estates, upon the Civil List for Her Majesty's Privy Purse, upon the sum allotted to the expenses of the Household, and upon the unexpended and unappropriated money arising out of the

remaining classes of the Civil List. Probate duty is paid in respect of the estate of a member of the Royal Family, but not upon that of the Sovereign. The Royal Family are, however, exempt from legacy and succession duties.

### THE HOUSE OF LORDS.

Although the House of Lords is far more ancient in its origin than the House of Commons, it has become, as democratic tendencies have grown, more and more of a revising chamber; it is often called the "Second Chamber." In theory the House of Lords is co-ordinate in power with the House of Commons, in actual practice its veto is not a permanent veto, but one which enables it to secure for important measures a more prolonged consideration, and a more deliberate expression of opinion by the constituencies. Speaking at Hackney in November 1880 the Marquis of Salisbury said:—

"If I were to try to define in a sentence the function of the House of Lords, I should say its duty was to represent the permanent as opposed to the passing feelings of the English nation."

Members of the Gladstonian party are generally very bitter in their attacks on the House of Lords, and a phrase familiar on the Gladstonian platform with regard to the second chamber is that it should be "ended, not mended." The late Lord Beaconsfield in his speech at Manchester in 1872 said:—

"For a century, ever since the establishment of the Government of the United States, all great authorities—American, German, French, Italian—have agreed in this, that a representative Government is impossible without a second chamber. . . . However anxious foreign countries have been to enjoy this advantage, that anxiety has only been equalled by the difficulty which they have found in fulfilling their object. How is a second chamber to be constituted?"

The Conservative party are not opposed to the consideration of any well-considered scheme for reform of the House of Lords. *Their* view is rather that it should be "mended, not ended," and it is worthy of note that the first introduction of life peerages into the House of Lords, in the four Lords of Appeal created under the Appellate Jurisdiction Act, 1876, was the work of the Conservative party. The recognition of the hereditary principle is, no doubt, open to criticism theoretically; because one peer is a good legislator, it does not necessarily follow that his eldest son will be so also. Still we find that a large proportion of our most eminent statesmen and distin-

guished public servants have been drawn from the ranks of the House of Lords, and a goodly number of these came to their peerages by heredity. Of the prime ministers of the present century two have been members of the House of Lords for every one who has been a member of the House of Commons. A majority of Mr. Gladstone's Cabinet during the 1880-85 Administration were members of the House of Lords. Of the present members of the House of Lords, 169 have been members of the House of Commons, 73 have served in offices of State, exclusive of the royal household; 150 have served in the army, 12 in the navy, 74 in the militia, 92 in the yeomanry, 50 in the volunteer force; 21 have been judges or eminent lawyers, 21 colonial governors; 19 have been in the diplomatic service, 26 in the civil service, and 5 in the Church (exclusive of bishops). Besides, new blood is constantly being infused into the House of Lords by the creation of new peerages. Of the new peerages created since 1830, 215 have been created under Liberal ministries, and 119 under Conservative ministries. Mr. Gladstone himself has created 84 new peerages, while Lord Beaconsfield created 38, and Lord Salisbury has created 49. Beyond question the four most distinguished statesmen in the House of Peers at the present moment are the Marquis of Salisbury, the Duke of Devonshire, the Duke of Argyll, and the Earl of Rosebery. All four are hereditary peers. Surely there is something to be said for a system which gives such distinguished servants to the State. Quite recently Mr. Gladstone has publicly deprecated the idea of doing away altogether with the hereditary element in the constitution of the chamber. Whatever opinion may be held upon this point, nothing can be more ludicrously unjust, as was recently well pointed out by Mr. Chamberlain, than the bitter attacks of Radicals upon hereditary peers, as though they owed their legislative powers to some peculiar selfishness and wickedness of their own. They are there, however, not by their own act or choice, but in obedience to constitutional law, which they did not make, and which they are powerless to disobey; and in discharging their legislative work to the best of their lights, they are not asserting any unfair privilege for themselves, but simply performing, according to their consciences, the duty which the constitution has imposed upon them. And in the performance of their duty they are both impartial and business-like. It is notorious that early social legislation for the benefit of working men received a far more cordial reception in the House of Lords than in the House of Commons. The Truck Act of 1831 was introduced in the Lords, and bitterly opposed by the Radicals in the Commons. Factory legislation was furiously fought against by Radicals in the Commons, and passed with cordiality by the

Lords. The Lords took an active part in the labours that resulted in the Artizans' Dwellings Acts. They have readily passed measures for improving the health and comfort of the people, and for encouraging friendly, industrial, and provident societies.

Many illustrations might be given of the value of a second chamber. In 1884 the House of Lords, by refusing to pass the Franchise Bill without redistribution, compelled Mr. Gladstone to take both measures together. No doubt Mr. Gladstone intended to follow up the Franchise Act by one for redistribution, but, in the light of what followed, it is now hardly doubtful that, had the Franchise Bill passed in the summer of 1884, and come into operation at the next registration, before a Redistribution Bill could have been passed, events would have forced Mr. Gladstone to have a dissolution early in 1885 without redistribution. In that case the result would have been ludicrous, and would have brought representative government into contempt. Here a place with 1000 voters would have had a member, there a place with 10,000 would have had none. Glasgow, Liverpool, Birmingham, and Manchester would have had twelve members among them instead of twenty-nine, which was found to be their proper share. London would not have had one-half of its proper representation. The House of Lords did not oppose the extension of the franchise. They did not oppose the extension of the franchise in 1867 to the householders in the burghs proposed and carried by the late Lord Beaconsfield, then Mr. Disraeli. In 1884, all they did was to insist that the extension, which was of great magnitude, should be accompanied by a measure of redistribution. This Mr. Gladstone declared to be impossible. The action of the Lords proved it to be possible, and redistribution took place. The last word of the House of Lords after they had declined to pass Mr. Gladstone's Bill for altering the franchise without redistribution being arranged, was given in an amendment moved by Lord Cadogan, of which these are the exact words:—

“That it would be desirable that Parliament should assemble in the early part of the autumn for the purpose of considering the Representation of the People Bill, already presented to Parliament *in conjunction with* the Redistribution Bill which Her Majesty's Ministers have undertaken to present to Parliament on the earliest occasion possible.”

Parliament did assemble in the autumn; it did consider the two Bills *in conjunction*, and the Government and the Opposition made a reasonable compromise, which brought about a peaceful and satisfactory settlement. The Lords thus fulfilled the proper function of a second chamber by securing a settlement in the

interests of the whole nation of a troublesome question, instead of its being dealt with wholly in the interests of one political party. Their action was completely justified, and was most beneficial to the country.

The result was that the *Daily News*, the organ of the Liberal party, stated on December 26, 1884:—

“The Franchise Bill is law; the Redistribution Bill is as good as law. The measure is as much Lord Salisbury’s and Sir Stafford Northcote’s as it is Mr. Gladstone’s and his colleagues.”

But by far the most important illustration in modern times of the true value of the constitutional authority of the House of Lords was their rejection of Mr. Gladstone’s Home Rule Bill of 1893.

The people of Great Britain were never consulted on the measure. Mr. Gladstone himself had no notion of what it would be until it had nearly run its course in the House of Commons.

On the question of the retention of the Irish members, he first proposed that they should be retained for certain purposes only: then that they should be retained for all purposes, and it will be remembered that the proposal in the Bill of 1886 was that they should be excluded altogether.

The Finance clauses were altogether changed.

The Bill was ultimately reduced from 40 to 37 clauses by Mr. Gladstone.

In every division of importance there was a British majority against the Bill; over and above all this, by means of Mr. Gladstone’s closure of debate, only about a fourth of the clauses were debated in Committee, so that even now it is uncertain what the full scope of the Bill might have been.

The House of Lords rejected the Bill by a majority of 378, and for no act does it deserve greater gratitude from the people of Great Britain. They would have been untrue to their duty to their country if they had not done so.

What the House of Lords has virtually said to Mr. Gladstone is, “We will not pass this Bill of yours, a Bill so vitally affecting the interests of this nation, and on the principle and details of which the people have not been consulted, until they have had the opportunity of deciding whether they will have the Bill or no.”

By this action they have defended the constitutional right of the people, and it is worthy of note that of the peers created by Mr. Gladstone himself who took part in the division on the Home Rule Bill in the House of Lords, 29 voted against the Bill as against 24 who voted for it.

Very few thinking men favour the idea of dispensing altogether with a second chamber. Indeed, Mr. Gladstone considers it desirable to have one. In proposing the institution of a second chamber for his proposed new Irish constitution, he said—

“The first effect of a second chamber was to present an undoubted and unquestionable security against hasty legislation. It interposed a certain period of time, and gave opportunity for reflection and for full consideration” (see *Times’* Report of Mr. Gladstone’s speech in House of Commons, May 10, 1893).

And again, Mr. Bryce, Gladstonian member for South Aberdeen, and a member of Mr. Gladstone’s present Cabinet, said in the House of Commons, on May 10, 1893:—

“It is said that two chambers do not always work harmoniously together. My observation on that is, that the object of having two chambers is to secure not that two things shall always work smoothly between them, but that they shall frequently differ, and provide a means of correcting such errors as either may commit.”

In the words of Mr. M’Carthy, the leader of the Anti-Parnellites, in the “History of Our Own Times”:—

“When the Peers begin to be firm and assert their dignity, it may always be taken for granted that there is not much popular force at the back of the Government.”

What better praise of the House of Lords could be found than the exclamation of Mr. Gilbert Beith, Gladstonian member for Inverness Burghs, when he exclaimed, in connection with the Scottish Fisheries Bill of 1893: “How good it is that we have a House of Lords!”

But if it be admitted that a second chamber of some sort is necessary, it is difficult to imagine a chamber of the kind which would be less of a restraint upon the power of the popular chamber than the House of Lords. The most that the House of Lords does is to secure that a measure of which it disapproves shall not be passed into law without being deliberately submitted to the judgment of the nation at a general election. If the nation approves of the measure, the House of Lords accepts their decision. There is no instance in the century of any important measure being longer delayed by the peers. If they have sometimes delayed to pass measures on which there was a great difference of opinion, it is almost universally true that they have passed them when, and not before, the substantial opinion of the country was declared. How often has the Commons also rejected several times a



measure which it has subsequently passed. Any new second chamber, however constituted, is likely to be a stronger rather than a weaker check upon the popular assembly.

Mr. Gladstone, during a debate on the Oaths Bill in the House of Commons on July 21, 1857, said—

“ When I look back at the course of legislation in this country ; when I recollect the Corporation and Test Acts, the Bill for the Admission of Roman Catholics to Parliament, the Reform Act, the Municipal Corporation Reform Bill, the Bills for the Repeal of the Corn Laws, and the Navigation Laws, and the Succession Duties Bill : when I remember how one and all of these have been acceded to, sometimes with a conscientious reluctance, but always with an honourable and graceful concession on the part of the Lords to the wishes of the people, I am not prepared lightly to forego that confidence which I repose in the House of Lords, and I am prepared to say that, if that House conscientiously withholds its assent from a particular measure which it deems to be at variance with the principles of the constitution, it is entitled to give that judgment, and nothing but a consideration of the highest and most urgent public interest should induce us to interfere with its free and independent action.” (*Hansard*, vol. 147, p. 176).

*Reform of the House of Lords.*—To a judicious reform of the House of Lords the Conservative party adopts no attitude of *non possumus*. Suggestions have been made by members of that House, or persons deeply interested in its future. No human institution is superior to the law of change, and as the House of Commons has been expanded with the development of the nation, so it may prove desirable to broaden the basis of the Upper Chamber, and provide a fuller representation in it of important elements of national and imperial life, which are too apt to be lost sight of in the party contests that affect the composition of the other House. For example, a peerage is one thing : the right of a peer to legislate is another, as the Scottish and Irish peerages illustrate. It might be very proper to provide that criminal or serious social misconduct on the part of a peer should forfeit his right to legislate.

The hereditary element in the House might be limited by putting the peerages of the three kingdoms on the same footing, and making them in future an electoral college, which would return one-third or one-half to the House. The life-peerage system might be extended. The leaders of great professions might be called to the House *ex officio* ; persons who had held great public offices or the government of dependencies might be called for a term of years or for life, and special arrangements might be made for an efficient representation in the Upper Chamber of colonial and other imperial interests. The

interests of the nation at home and beyond the seas require that any reform of the House of Lords should proceed on constitutional lines, and that it should provide an efficient Second Chamber and an Imperial Senate.

Gladstonian speakers forget that any alteration of the House of Lords to be constitutional and successful must receive its own assent. Anything else can only be accomplished by force, and is not reform, but revolution.

### THE HOUSE OF COMMONS.

The House of Commons is the chamber which gives the democratic character to our Parliamentary institutions. Reform of the House of Commons, considered apart from the question of reform of the franchise and election law, has come to the front in recent years in two demands made by Gladstonians. One of these is the demand for shorter Parliaments, the other is the demand for the payment of members.

#### SHORTER PARLIAMENTS.

We hear of this demand only when Gladstonians are in opposition. When they are in power seven years are all too short, when they are out of power the cry is that three or four years are long enough for any Parliament to last. The shortening of the duration of Parliament would have several prominent evil effects. The country would be in a continual fever of party excitement; continuity of policy in home and foreign affairs would be rendered nearly impossible; the influence of our ministers in diplomatic negotiations and the influence of the country in international concerns would be very considerably weakened. The Conservative party has suffered more by the operation of the Septennial Act than the Radical party. The Liberals, with Mr. Gladstone as Chancellor of the Exchequer, held office from 1859 till 1866, Parliament having sat for six sessions and part of a seventh. They next held office, with Mr. Gladstone as Premier, from 1868 till 1874 (Parliament having sat for five full sessions), and again from 1880 till 1885 (Parliament during this administration having sat for five sessions and part of a sixth).

#### PAYMENT OF MEMBERS.

The payment of members of Parliament is one of the articles of the Newcastle programme. In 1870, when Mr. Gladstone was Prime Minister, Mr. P. A. Taylor moved for leave to introduce a Bill to carry out the principle of the payment of

members. Mr. Gladstone took the unusual course of opposing the first reading of the Bill, and the motion was rejected by 213 to 24 votes, the majority including 143 Liberals, among whom were Mr. Gladstone and Sir George Trevelyan. In the course of his speech *Mr. Gladstone* said :—

“I contend that the public enjoys the fortunate advantage of having plenty of persons who are ready to serve it for nothing, and that the public is entitled to the benefit. When there are numbers of well-qualified men ready to give their labour without being paid, why should we get out of our way and insist upon adding to the taxation of the country for the purpose of giving them a payment?”

And he concluded his speech by saying :—

“It is better for us not to raise false hopes, or to tantalise my honourable friend by acceding to the introduction of the Bill, and then joining issue with him on the second reading.”

*Sir William Harcourt*, on July 31, 1871, speaking on the subject of working-men members of Parliament and their payment, said :—

“Once pay a member for his votes collectively, and he will very soon make a market for his individual votes.”

It might be urged that it is unfair to quote Sir William Harcourt's words against him when they were uttered so long ago as 1871, but we are justified in doing so. In response to a request to receive a deputation, consisting of the Executive Committee of the Radical Clubs of London, upon this question of payment of members and of election expenses out of Imperial taxation, Sir William replied as follows :—

11 DOWNING STREET, WHITEHALL,  
February 7, 1893.

“DEAR SIR,—I am sorry to say I cannot receive a deputation, but I entirely adhere to all that I have previously said on the subject of the payment of members.—Yours faithfully,  
“W. V. HARCOURT.”

*Mr. Bryce*, Gladstonian member for South Aberdeen and a member of the present Cabinet, commenting on the system of salaried legislators in the United States, has said :<sup>1</sup>—

“It contributes to keep up a class of professional politicians; for the salary, though small compared with the incomes earned by successful merchants or lawyers, is a prize to men of the class whence professional politicians usually come.”

<sup>1</sup> *The American Commonwealth*, i. 359.

In no country where it has been adopted has the system led to large representation of labour in Parliament. Sir George Dibbs, the Premier of New South Wales, and Sir Samuel Griffith, the Premier of Queensland, have both recently denounced payment of members as a curse to their respective countries. (Vide *St. James' Gazette*, 25th November 1892, and 30th August 1893). The salaries too often go to second-rate journalists and broken-down lawyers. The cost to the country of paying a salary of £300 per annum to 670 members would be £201,000, which is equivalent, at the present rate of interest on Consols, to a capital expenditure of over £7,300,000.

#### OFFICIAL EXPENSES OF ELECTIONS.

At present these are borne by the candidates. As Parliamentary elections are part of the necessary machinery of government, this system is not defensible theoretically. It has, however, certain practical advantages. It secures the *bona fides* of candidates, and is a check upon quixotic or bogus candidatures. The Conservative party has nothing to fear from a change. That party is thoroughly loyal, and does not allow personal feeling or sectional interests to endanger the cause by splitting the party vote at an election. The Gladstonian party is not so fortunate. What support Socialist and other fanatical candidates obtain at an election would otherwise generally be given to that party.

#### REFORM OF THE FRANCHISE.

In 1884, when the last great Reform Act was passed, Liberal leaders assured the country that the settlement arrived at then was for a generation at least, yet this assurance was broken by the Gladstonian demand at the General Election of 1892 for

#### ONE MAN ONE VOTE.

The grievance, if any, which underlies the possibility of one man having more votes than one, is that it is unfair that one man should have twice the voting power of another, or even more. But is that an injustice? Suppose a man owns mines in Ayrshire, occupies a dwelling-house in Edinburgh, and has a cotton-mill in Manchester.<sup>1</sup> He contributes rates for each; why should he not have a voice in the representation of the constituency in which each is situated?

<sup>1</sup> For particulars as to non-resident voters, see Parliamentary Return—Electors (Scotland), No. 340, 18th July 1893.

His interests in each constituency may be different. The dual vote in no way impairs the truly democratic character of our Parliamentary system. If the clear majority of the people are one way, plural voters cannot affect the result of a general election. But, on the other hand, when public opinion is so equally divided that the slightest accident may turn the result one way or the other, what prejudice does the State suffer by the plural voter then being able to make his influence felt? The great majority of plural voters are men whose business capacity has brought them success in life. No doubt a man with two votes may be foolish, and a man with one vote wise. But, as a body, plural voters are men to whom fortune has given somewhat larger opportunities of gaining a knowledge of the world and of affairs than to the majority of their fellows. Why should the State not take some slight benefit from these larger opportunities so long as there is no substantial interference with the democratic principle? The real reason for the demand of Gladstonians is that they believe that the large proportion of those who possess two or more qualifications are Unionists, and to give effect to this proposal would be to give a numerical gain to the Gladstonian party. In 1884 Mr. Walter M'Laren, M.P., submitted a motion in the House of Commons in favour of one man one vote. Mr. Gladstone strongly opposed it, and again in 1885 he absolutely refused to abolish plural voting. But if the demand be for equality in voting power, there ought to be

#### ONE VOTE ONE VALUE,

and more will require to be done to attain this than mere abolition of plural voting. In the Wimbledon Division of Surrey, which is Unionist to the core, 16,454 electors have to be content with one member. In South Ayrshire the present electorate is 15,278. The combined electorates of Caithnessshire, Sutherlandshire, Wick Burghs, and Elgin Burghs, is only 13,649. In Wick Burghs, where the electorate numbers 2197, a vote is seven times as valuable as a vote in South Ayrshire. In Kilkenny (constituency 1825), Galway (constituency 1986), and Newry (constituency 1927), the value of a vote is ten times that of a vote in the Wimbledon Division of Surrey. The population of Cardiff Boroughs is just ten times that of Kilkenny, yet Cardiff has only one member—in other words, each Kilkenny elector has ten votes for one which a Cardiff elector enjoys. According to population Scotland has its proper share of members, Ireland twenty too many, Wales three too many, and England twenty-three too few.

During the Parliamentary session of 1893 the Gladstonian Government introduced two Bills dealing with the registration

laws, one relating to England, and the other to Scotland. Neither of the Bills dealt with the question of one man one vote, and there was no proposal to pass any measure of redistribution along with them. Both Bills were dropped. The object of the English Bill was to reduce the period of qualification from twelve months to three months, changing the date of termination of the qualifying period from 15th July to 24th June, and withdrawing the necessity for claiming in the case of lodgers. It also provided for successive occupation with different qualifications within the same electoral area, and proposed to do away with rating as a requisite of qualification. The Scottish Bill made similar provisions. The provisions of this Bill, which would have had the greatest effect, were two in number. Clause one proposed to reduce the qualifying period from twelve months to three months, changing the date of termination of the qualifying period from 31st July to 3rd September. The effect of this would have been twofold. It would have anticipated one whole year's new voters, who would have got on the roll a year earlier than under the existing law, and in this way it would have increased every register by a number of probably from 10 to 15 per cent. of its present strength. These voters so added to the register would, however, have been of the same class and the same complexion as the old voters. They would have got on under the existing system, only it would have been a year later. In addition to these there would have been a certain number of the floating and residual population, who are never more than a few months in the same locality, and who never obtain votes at all under the existing system, but whom the provisions of the Bill would have enabled to get upon the register. It is to be noted that, according to the proposal in the Bill, a person would have been qualified to be enrolled before he has paid either rent or taxes for the qualifying premises. Now, there is much to be said for the view that the opinion of the majority of the permanent residents in a constituency ought not to be overborne by that of a temporary or migratory population, and that this can be secured only by requiring a year's residence to qualify. Moreover, if the period were shortened in the way proposed by the Bill, great difficulty would be experienced in the work of registration, and there would be likelihood of serious errors, and ample opportunity for fraud. At the same time it must be admitted that the period necessary to qualify a voter according to the existing law, so long as at present there is no provision for successive qualifications through different constituencies, is too long. The real grievance, however, would be removed if facilities were given to voters who have once been enrolled in any constituency according to the existing law, to be transferred on their removing



to another constituency, without the necessity of residing in the new constituency for the period at present required by law. Clause two of the Bill proposed to repeal the disqualification at present existing for non-payment of poor rates, assessed taxes, and consolidated or other rates. So far as the Parliamentary franchise is concerned, the disqualification for non-payment of poor rates is the only one that applies. At the same time, very serious objections exist to the change in connection with other franchises; it is a departure from the policy affirmed so recently as in the Local Government Act of 1889; and it is likely to prejudicially affect the efficient and economical working of local institutions. The repeal of the disqualification for non-payment of poor rates will add a very large number to the Parliamentary electoral rolls, especially in the larger burgh constituencies. The proportion which the number of those at present disqualified bears to the number of those at present enrolled varies in different constituencies. Thus to take the figures for the year 1892<sup>1</sup> applicable to the Parliamentary franchise in Stirlingshire, where the constituency numbers 13,112, 1406 were disqualified for failure to pay poor rates, while in the two divisions of Ayrshire, whose constituencies number 27,173, only 818 were so disqualified. The largest number disqualified are in the larger towns. There were disqualified in Edinburgh 3630, in Glasgow 18,451, in Dundee 6274, in Greenock 3399, and in Paisley 2933. It is obviously idle to pretend that the majority or even a large proportion of these persons so disqualified, who, it must be observed, are all adult men and householders—fail to pay the shilling or two of poor rate required of them annually through inability by reason of poverty to pay.

Now, it is sometimes asked why voters should be disfranchised for not paying their poor rates. In every benefit society members in arrear are not allowed to take part in the proceedings, and if they do not pay up, their names are struck off. No doubt non-payment may result from innocent misfortune, but that makes no difference. The society could not be carried on without general rules, and general rules must be applied generally. In the same way the government of the State could not be carried on unless people paid their rates and taxes. Non-payment may, no doubt, result from innocent misfortune, but there must be a general rule, and it is impossible to distinguish individual cases. Those who do not pay their rates owing to improvidence, dissipation, or wilful neglect of civic duty, cannot be allowed to throw the burden of the rates which they fail to pay upon their honest neighbours, many of whom can ill afford to bear them, and then to help to make laws which may have

<sup>1</sup> For full particulars see Parliamentary Return, Rates—Non-payment (Scotland), No. 155, 30th March 1893.

the effect of still further raising the rates. Poverty is no crime, but no working man's institution or club in the world allows those who fail to pay their subscription to get inside the doors.

There are, however, certain

#### ANOMALIES OF THE FRANCHISE,

which call much more for real reform than the plural vote, or the length of the period required for qualification.<sup>1</sup> There are different franchises for Parliamentary elections, municipal elections (the roll for these includes women), School Board elections, Poor Law elections, and County Council elections. Taking the Parliamentary franchise of the United Kingdom by itself, there are many anomalies. An owner in the county may reside anywhere, an owner in a borough must reside in the borough, or within seven miles of it. A person may remove from one division of a borough to another without losing his vote. A person removing from one division of a county to another loses his vote for a year. A householder who removes from one part of a constituency to another does not lose his vote; if he remove from one constituency to another, it may be only across the street, he loses his vote for a year. A lodger on the roll loses his vote for a year if he becomes a householder. These are only a few of many anomalies. The Government Bill only proposed to remove one or two; the great bulk of these anomalies and grievances it proposed to leave unredressed. But perhaps the most unfair thing in connection with the Bill was that it was unaccompanied with any proposal for redistribution of seats. If the Bill had been passed, it is estimated that in Scotland there would have been added to the roll no less than 150,000 voters. Surely redistribution of seats would have been absolutely necessary.

In connection with the reform of registration laws there is another question that is worthy of notice, namely, that of

#### ILLITERATE VOTERS.

In England and Scotland the proportion of illiterate voters to the total electorate is rapidly diminishing. Those who are illiterate are chiefly Irish, and here, as in Ireland, these are

<sup>1</sup> In Scotland there are some very remarkable anomalies. A person who occupies a £4 house may vote in a School Board election whether he has paid his poor rates or not, but may not vote for a Parliamentary election unless he has paid his poor rates. A person who occupies a £3 house may vote for a member of Parliament or of a County Council, but not for a member of a School Board. A lodger or a person who has a qualification under the service franchise may vote in Parliamentary, municipal, or County Council elections, but not in School Board elections.

under the domination of the priesthood. The question is presenting itself, whether steps should not be taken to prevent priests from having a large number of votes under their individual control. The operation of this priestly control in Ireland is explained, *supra*, p. 150. It is urged by some that illiterates ought to mark their own papers. If they cannot read, it is said they can count, and the order in which the names will appear on the ballot-paper is always known beforehand. At any rate, it would appear to be perfectly fair, in these days of free education, to treat every one who cannot, through ignorance, mark a ballot paper, as unfit to acquaint himself with, and give an intelligent vote on, political questions.

#### THE CONSERVATIVE PARTY AND PARLIAMENTARY REFORM.

. To whom must we look for a fair and thorough measure of reform, if there is to be reform at all? The Reform Bill of 1832 was a Liberal measure. It did not enfranchise the working classes; it disfranchised some working men and enfranchised the middle classes. The Reform Bill of 1867 was a Conservative measure. By it the household suffrage was introduced in the burghs, and to this measure every working man who votes in a burgh constituency owes his vote. The Reform Settlement of 1884 was a joint one shared in by both Liberals and Conservatives. Since then the Unionists have passed measures removing the voting disqualification of policemen, and securing that soldiers, sailors, and the like shall not lose their franchise rights by absence from home in the exercise of their duties. Conservatives and Unionists have dealt more liberally with the franchise in the past than the Gladstonians, and if real redress of grievances in connection with the franchise and registration is wanted, the Unionists must be looked to for it. Certainly, if there is to be a Reform Bill at all, let it be a genuine reform, redressing real grievances, and not merely an attempt to jerrymander the constituencies to suit the necessities of a party.

## CHAPTER XXV.

### THE UNITY AND INTEGRITY OF THE EMPIRE.

It is the fortune of the people of this country to be the owners and trustees of the largest empire which the world has ever known. The area of the earth is estimated at 51,238,800 square miles. The British Empire (including 2,240,000 square miles of spheres of influence) contains 11,355,057 square miles. The population of the earth in 1890 was 1,467,900,000 souls, that of the British Empire 366,642,105. The area of Russia is 8,644,100 square miles; the population in 1888 was 113,354,649. The area of the United States is 3,499,027 square miles; the population in 1890 was 62,622,250. France and her foreign possessions have an area of 3,019,080 square miles, and a population of 68,739,196. The German Empire, with its foreign possessions, has an area of 1,144,310 square miles, and a population of 52,355,704.

Thus the British Empire has nearly one-fifth and the Russian Empire nearly one-seventh of the area of the globe, while the population under the flag of the Queen approaches one-fourth of the inhabitants of the earth, that of Russia being between one-twelfth and one-thirteenth. Ours is an empire which possesses every variety of soil and climate, and produces within its borders almost every article of food and luxury. It has the capacity of being "self-supporting, self-supplying, and self-defending."

It is certain that never before was there an empire, not only of such an extent, but comprising men of so many colours, races, and traditions, held together by so small a military force, and ruled with so constant a regard to the welfare of the governed. History shows that a nation or an empire can no more stand still than can an individual, and that when states cease to grow they commence to decay. A few years ago it was a favourite doctrine that the burdens and responsibilities of the empire were already too heavy for the back of the British people to bear. The outcry was evidence that the statesmen who sought to rule them by proclaiming this were themselves weak-kneed, but it has been disproved by the facts that annexation was forced upon those who denounced it, and that while

there never was so rapid and grand an extension of the empire as within the years of Lord Salisbury's Administration, this was accompanied by a revival of trade and increased prosperity at home.

The following figures show the growth of the empire during the years 1874 to 1892 :—

	Ac- quired.	Premier.	Estimated Area.	Estimated Population.
Europe—				
Cyprus . . . . .	1878	Beaconsfield	3,584	200,000
Asia—				
Upper Burmah . . . . .	1885	Salisbury	200,000	5,000,000
British North Borneo . . . . .	1888	"	30,700	200,000
Brunei . . . . .	"	"	3,000	...
Sarawak . . . . .	"	"	45,000	300,000
West Africa—				
Niger Territories (Oil Rivers)	1886	Gladstone	290,000	17,000,000
South Africa—				
Bechuanaland Protectorate	1884	"	127,000	50,000
Basutoland . . . . .	"	"	9,720	180,000
British Bechuanaland . . . . .	1885	Salisbury	43,000	44,000
Zululand and Tongaland . . . . .	1887	"	14,220	180,000
Zambezia and Nyassaland	1889	"	540,000	1,100,000
East Africa—				
Socotra . . . . .	1876	Beaconsfield	1,380	10,000
Zanzibar and Pemba . . . . .	1890	Salisbury	985	165,000
Ibea (5° North Latitude) . . . . .	"	"	245,000	5,600,000
Territory, Egyptian Frontier	"	"	820,000	7,000,000
North Somali Coast . . . . .	"	"	30,000	240,000
Australasia—				
Fiji . . . . .	1874	Beaconsfield	7,754	126,000
Cook Archipelago . . . . .	1888	Salisbury	300	8,000
British New Guinea . . . . .	"	"	97,000	150,000

Thus 2,500,000 square miles of territory and an estimated population of 37½ millions have been brought under the British flag within less than twenty years. Under the different ministries the results may be summarised thus :—

		Territory.	Population.
Lord Beaconsfield . . . . .	1874-80	12,718 square miles	336,000
Mr. Gladstone . . . . .	1880-86	426,720 " "	17,230,000
Lord Salisbury . . . . .	1886-91	2,069,200 " "	19,987,000

On the other side must be set the loss of the rich and promising colony of the Transvaal (112,600 square miles, with 380,000 population), the Cameroons, and Angra Pequena (115,000 square miles), handed over to Germany, and part of New Guinea (70,000 square miles), all these losses being due to Mr. Gladstone's policy. The loss of territory under Lord

Salisbury is confined to the little island of Heligoland ( $\frac{3}{4}$  square mile, 2000 population).

No class of statesmen in this country desire aggressive war, or advocate annexation for its own sake. But the experience of twelve years shows too clearly that the policy of running away from responsibilities more frequently leads into complications, and that the material interests of our countrymen and the general peace of the world both suffer when British statesmen are content to accept the position of a backgoing state.

To "maintain the Empire of Britain" was laid down by Lord Beaconsfield as one of the cardinal objects of Conservative policy. The maintenance of the empire can be fully justified on three leading grounds.

1. That the influence of Great Britain, which depends on her strength, is, and must be from her large commercial interests, used in the general interests of peace.

2. That the worst sufferers from a disturbance of British rule (especially in India) would be the masses of the native races.

3. That the welfare and prosperity of Britain at home are to an enormous extent dependent on the Greater Britain beyond the seas, and that the maintenance of the empire is in the highest degree a matter of vital importance for the working classes of these islands.

It would be an error to assume that the importance of her external empire to Great Britain is wholly measured by the statistics of foreign compared with intra-imperial trade. Her command of the seas, which is intimately connected with colonial possessions, has given to her the largest share in the carrying trade of the world, and associated with it there is a large turnover of foreign trade, which would disappear if the carriage passed into other hands. A competition in colonial expansion has grown up, and the extension of foreign influences over Africa and Asia is accompanied with hostile tariffs, which mean reduction of the sphere of British commerce. Trade in the past has followed the flag, but foreign flags now exclude British trade, and force it still more to require the protection of the British flag. Apart, however, from the effect of foreign fiscal policy in the future, let us note the present proportions of intra-imperial to foreign trade, notwithstanding that we are the carriers of the world.

The following figures show the total and the intra-imperial trade of this country :—



<i>Imports.</i>		
Total from Foreign Countries.	Year.	From British Possessions.
£290,822,127	1876	£84,332,576
267,979,429	1886	81,884,043
324,530,783	1890	96,161,214
326,027,578	1892	97,766,304

<i>Exports.</i>		
Total to Foreign Countries.	Year.	To British Possessions.
£186,626,713	1876	£70,149,889
186,726,988	1886	82,232,475
233,729,649	1890	94,522,469
210,428,625	1892	81,211,541

It will be observed that British Possessions as compared with foreign nations are better customers in proportion to the amount which we import from each respectively.

The following table shows the total tonnage of vessels entered and cleared in the leading British Possessions, and the proportion of it representing British vessels:—

	TOTAL TONNAGE.		BRITISH VESSELS.	
	1876.	1891.	1876.	1891.
India . . . . .	5,634,000	8,950,651	4,747,000	7,574,502
	1876.	1892.	1876.	1892.
Australasia . . . . .	6,582,000	17,052,157	6,174,000	14,980,430
Straits Settlements . . . . .	4,000,000	9,069,763	2,677,000	6,145,344
Hong Kong . . . . .	4,359,000	10,294,152	3,150,000	7,576,323
Natal . . . . .	138,000	1,163,890	122,000	1,034,399
Cape Colony . . . . .	778,000	3,180,532	651,000	2,869,237
West India Islands . . . . .	2,394,000	7,518,200	1,564,000	6,001,294
	1876.	1891.	1876.	1891.
Canada and Newfoundland	6,449,000	11,351,506	3,980,000	5,938,738

The following table shows the total import and export to and from India in 1892 (exclusive of the frontier trade, i.e., in 1892 an import of £4,240,822 and an export of £4,053,630), compared with that to the United Kingdom, British Possessions, the United States, and France respectively:—

	Total.	United Kingdom.	Br. Pos.	U.S.A.	France.
Imports .	£84,000,000	£58,000,000	£11,674,000	£1,767,000	£1,202,000
Exports .	113,000,000	36,000,000	22,635,000	3,879,000	11,017,000

Of these the Mahommedans were the dominant race over most of India before the arrival of the British, and the division between Mussulman and Hindoo forms a cleavage which would produce very different results from what English Radicals anticipate were the hand of the ruling power withdrawn.

The fierce riots at Bombay of August 1893, in which thirty-six persons were killed, temples and mosques destroyed and desecrated, and which arose out of an agitation against cow-killing, are a startling illustration of how necessary it is for the welfare of India that there should be a strong and impartial independent Government to hold the balance between the great rival religions.

India owes to her white rulers her peace and prosperity, even-handed justice, the development of roads and railways, honest administration of finance, education, and an enormous development of commerce, which had risen from Rs.14,000,000 in 1834, to Rs.192,000,000 in 1890. Her vast population is protected by an army of 74,000 Europeans and 145,000 native troops, and a volunteer force of 20,000 Europeans. The feudatory states have armies amounting to nearly 350,000 men, with more than 4000 guns, and steps have been recently taken (1888-89) to recognise, drill, and discipline contingents from various of these armies, so as to render them fit to co-operate with the Imperial forces. These special contingents, known as Imperial service troops, numbered in 1893 over 17,000 men.

The interests of India have been in a very special degree the care of Conservative statesmen. Mr. Pitt's India Bill, in the latter part of last century, regulated the system under which the Indian Empire was practically built up. It fell to the Conservative Government of Lord Derby and Mr. Disraeli in 1858, after the crisis of the Mutiny, to pass the Act for the better government of India, which established the present system of Indian government, and transferred to the Crown the powers and privileges of the East India Company. The modern system was fully completed, and an important step was taken towards consolidating the empire and unifying the interests of the various races, rulers, and states of India, when under Lord Beaconsfield's Government the Queen was proclaimed at Delhi on 1st January 1877 as Empress of India.

The problems of the present, so far as India is concerned, are mainly—

1. The question of Imperial defence arising out of the increasing proximity of a great European power to the North-West frontier.
2. Finance.
3. The judicious extension of self-government, and employment of educated natives in the public service.

*Defence.*—The question of Imperial defence is treated in another chapter. Suffice it here to say that under Lord Salisbury's Government the military defences of India were rendered complete, strategic railways were laid down on the North-West frontier at a cost of £10,000,000, and fortifications and military roads were provided at a cost of over £5,000,000. A transport service was organised.

*Finance.*—In spite of this necessary expenditure, the previous heavy deficits were, under the Unionist Government, transformed into surpluses, and the Indian debt was successfully converted at a saving of £266,000 per annum in interest. The Gladstonian Government, by their silver legislation, have plunged the finances of India into confusion.

*Internal Administration.*—Very different was the record of Lord Salisbury's six years in India from that of the preceding six under Mr. Gladstone. There was no measure like the unlucky Ilbert Bill, which produced a worse state of feeling between European and native than had ever existed since the Mutiny, which met with universal condemnation from men of experience, and which had ultimately to be so changed as to be unrecognisable. Men of all parties are agreed in desiring the fullest progress for all the races under the sway of the Queen, but progress in India must be made with due regard to the circumstances of the country, to the various elements to be considered, and to the fact that the precise political ideas of the West are not necessarily suited for the state of the East. There has been nothing more satisfactory, nothing more significant of wise statesmanship on the part of the Government, than the way in which the great native states came forward to offer their resources to aid in Imperial defence.

#### NATIVE RACES.

The general success of Great Britain in dealing with the native races throughout her extended Empire is very remarkable. In India hostile elements have been united under British rule, the barbarous practices of Suttee, Thuggee, Dacoitee, and Infanticide have been put down, and wild tribes have been converted into disciplined and loyal soldiers.

In South Africa, unfortunate as have been many passages in the history of the native question, it is to the British Government that Kaffirs and Bechuanas look for justice and protection, and for defence against the rapacity and cruelty of the Boers.

In America the contrast is remarkable between the management of the Red Men in Canada, and the frontier wars, massacres, and breaches of faith with the Indians which have disgraced the Government of the United States.

The reason of this is to be found in the system of the British Government, and the high type of the men who have been sent to represent it in its relations with the native races. As a general rule, a monarchy is more suited to govern a mixed state than a republic. In the American and South African Republics those living upon the frontier have been practically a law unto themselves, and advanced republican opinions in reference to their own government are generally consistent with tyranny and despotism of a peculiarly aggravating and brutal kind towards the original possessors of the soil. The politicians who come to the front control the whole power of the state, and monopolise appointments in democratic republics, are generally men who have been more distinguished for wirepulling, for rough and ready methods, and for an absolute disregard of the rights of others, than for tact, a sense of duty, and a natural and courteous exercise of authority. They are partisans, men most amenable to pressure of an electoral kind; and as they hold an uncertain tenure, without the influence of personal position, they are very prone to make only their own hay while the sun shines. A British official, on the contrary, is a servant of his Queen, a member of a body of public servants, distinguished for generations by traditions of integrity and honour. He belongs to the public service, but in the public service he is detached from party politics, and he regards those under his care, whether white, brown, or black, as alike subjects of the Queen. In dealing with native races, tact, gentlemanly conduct, and absolute integrity are of far more value than all the ingenuity of "logrollers," and all the theories of professorial or professional politicians. There is no doubt that the tranquillity of our dependencies and peace upon our frontiers are intimately associated with the form of our government, and the high traditions of its public service, of which the monarchy is the keystone and the guarantee.

#### THE RELATIONS WITH THE COLONIES.

Some years ago it was the fashion to declare that the fate of our Colonies would be to be cut adrift, that they were like fruit bound when ripe to drop from the parent tree, and it was a commonplace of philosophic Liberalism that the sooner this came about the better. These views were in the ascendant when self-government was conceded to most of the Colonies, and the arrangements made seemed fitted to produce the contingency contemplated. Lord Beaconsfield once confessed that at that time he thought the tie was broken. A marvellous change of opinion has since taken place, the relations have been drawn closer, and this has been mainly due to the enthusiasm and

loyalty of the Colonies themselves and their sympathy with the mother-country. Great opportunities were undoubtedly lost when the Colonial Legislatures were instituted. "I cannot conceive," said Lord Beaconsfield, speaking in 1872, "how our distant Colonies can have their affairs administered except by self-government. But self-government, in my opinion, when it was conceded, ought to have been conceded as part of a great policy of Imperial consolidation. It ought to have been accompanied by an Imperial tariff, by securities for the people of England for the enjoyment of the unappropriated lands, which belonged to the sovereign as their trustee, and by a military code which should have precisely defined the means and the responsibilities by which the Colonies should be defended, and by which, if necessary, this country should call for aid from the Colonies themselves. It ought further to have been accompanied by the institution of some representative council in the metropolis, which would have brought the Colonies into constant and continuous relations with the Home Government. All this, however, was omitted, because those who advised that policy—and I believe their convictions were sincere—looked upon the Colonies of England, looked even upon our connection with India, as a burden upon this country, viewing everything in a financial aspect, and totally passing by those moral and political considerations which make nations great, and by the influence of which alone men are distinguished from animals."

The Colonies and dependencies other than India fall into three great classes:—

*First.* Those which have "responsible" government. The more free of these are in all but name independent of the Central Power, and, for example, negotiate their own customs treaties with other nations. In each of these Colonies there is a governor appointed by the Crown, who has nominally a veto on legislation; but the Executive is independent, the real power lying with Parliament, which supplies the Executive. To this group belong Canada, Newfoundland, Australia, Cape Colony, Tasmania, and New Zealand.

*Second.* Colonies and possessions which have "representative" institutions, but in which the Executive is controlled by the Home Government. They may be considered as in a state of transition from Crown government to "responsible" government. This class includes Ceylon, Natal, the Bahamas, Bermudas, Leeward Islands, and Windward Islands.

*Third.* The Crown Colonies and military possessions, in which the whole government is carried on by the Central Power, the legislation directly, and the administration indirectly, through the medium of public officers appointed by the Crown. Gibraltar, Aden, and the Falkland Islands are examples of these.

The Conservative party has been honourably associated with the development of our Colonies. "Ships, Colonies, and Commerce" used to be one of its watchwords, and in 1867, under Lord Derby's and Mr. Disraeli's Administration, the Act was passed providing for the confederation of Canada and the other provinces of North America. In 1877, under Lord Beaconsfield's Government, an Act was passed to facilitate the union under one Government of all the South African colonies and states who might agree thereto. In 1885 a measure received the royal assent for establishing a Federal Council of the Australian colonies. In 1890 responsible government was conferred upon Western Australia, and in 1891 the endeavours of Australian statesmen to carry through the federation of Australia were regarded with sympathy. But the relations of the component parts of the British Empire is a question more of the future than of the past. One of the greatest problems of the day is that associated with the words

#### IMPERIAL FEDERATION.

For years thinking men have felt that the variety of relations and the peculiar arrangements which obtain here and there throughout the British Empire cannot be permanent. On the one hand, great communities like those of Australia are liable to have their commerce harried and their cities set in flames by Russian privateers should a quarrel arise upon the Bosphorus or on the upper waters of the Oxus; on the other, the overburdened taxpayer of this country pays for the protection of Melbourne, and Brisbane, and Auckland. The settlement of French convicts at New Caledonia, the appearance of the German eagle in the Pacific, the relations of the great empire of China with her new neighbour on the Burmese frontier, the Chinese immigration question in the Australian colonies, and the interests of the United States in Pacific waters and on the Canadian frontier, all present facts which show that foreign policy must be an important factor in the future of Australia, New Zealand, and Canada. If the growth of these countries suggests fitness for separation, the improvement in the means of communication diminishes the difficulties of defending an extended empire and utilising its resources. This country now possesses a third alternative route to India, to those by Egypt and the Cape, by the Canadian Pacific Railway, and it is one wholly on British territory, and through seas where the British flag dominates all important ports. The remotest colony is nearer to the capital than were the Hebrides fifty years ago. The magnitude of the European countries whose flags now fly in Eastern waters is a strong argument for the advantage to Australia of being a



constituent of the greatest empire of all. To growing countries like the Colonies the command of capital which the mother country supplies to them is of infinite value.

The first public step in the movement for a closer union with our Colonies took place when a conference was held in London in July 1884, over which the late Mr. Forster presided. It was attended by a large number of British and colonial statesmen, and resulted in the formation of the Imperial Federation League. The first resolution affirmed that some form of federation was essential to the permanent unity of the empire. The views expressed were to the effect that colonial self-government must ultimately lead either to isolated independence or some form of general union; that with our increasing population the peopling of new lands is a necessity of our circumstances, and that the countries to which our emigrants go should remain part of a united empire; that a league of Imperial defence shared in by the Colonies would increase the chances of peace both by reducing our willingness to go to war, and the inclination of foreign countries to attack; that the Colonies would benefit by a more vigilant protection of their interests in foreign policy, and that advantage should be taken of the present disposition of Australia and Canada to join in welcoming Imperial unity. Of the loyalty of the Colonies to the Crown and mother-country emphatic illustrations have been given of late years. The offer of Canada in 1878 had been followed by the despatch of a contingent from New South Wales to the Soudan in 1885, for which £50,000 was locally subscribed in a few days, and which was paid and supported by the colonists and did good service in the field. The bitter feeling aroused in the Colonies by the blunders of Mr. Gladstone's Government in reference to African and Australasian questions had furnished a significant warning of possible dangers.

Another important Conference was held under the auspices of the League in 1886, and immediately after the succession to power of Lord Salisbury's Administration the question for the first time received the favourable notice of Government.

The Queen's Speech of September 1886 stated Her Majesty's conviction that there was on all sides a growing desire to draw closer in every practicable way the bonds which unite the various portions of the Empire, and that the Queen had "authorised communications to be entered into with the principal Colonial Governments with a view to the fuller consideration of matters of common interest."

Shortly afterwards Mr. Stanhope (the Secretary for the Colonies) addressed an invitation in the Queen's name to the principal Colonies to send representatives to a Conference in London in 1887.

The question of the reorganisation of the Empire for military defence was indicated as both urgent and capable of useful consideration; and second only to it was the question of the promotion of social and commercial relations by the development of postal and telegraphic communication. It was not proposed that political federation should be discussed, but Mr. Stanhope concluded with the words, "However modest the commencement may be, results may grow out of it affecting in a degree which it is at present difficult to appreciate the interests of the Empire and of the civilised world."

The Conference met in London in April 1887, was attended by eminent men representing the various Colonies, and discussed most fully a large number of questions, including Imperial defence, postal and telegraphic communication, the pending questions connected with the Pacific Islands, the effect of the foreign sugar bounty system, the idea of an Imperial customs tariff, the revenue from which should be devoted to the general defence of the Empire, and a large number of important legal questions connected with colonial wills, with bankruptcy proceedings, with public companies, and with the position of colonial stock. The most immediate and direct result of its deliberations was the agreement since carried out for the provision of a special squadron of seven ships for the colonial waters, to the initial cost of which the Colonies agreed to contribute, while they undertook the burden of maintaining them, provided the charge should not exceed £91,000 a year. It is impossible to read the proceedings of the Conference without being struck with the spirit of cordial loyalty and confidence in the future of the Empire that was exhibited, and without realising how important—apart from the substantive results that were secured, and the value of the full discussion of difficult questions obtained by the convening of leading representatives of all the Colonies—were the moral effects of such a Conference being held on the initiative of the Imperial Government, and of its being carried through with the tact, respect, and sympathy for colonial aspirations which marked its conduct on the part of the ministers of the Crown.

The policy of which the Imperial Conference was the most outstanding illustration has been further carried out by the concession to colonial warships of the right to fly the white ensign of the British navy, by the appointment of an Imperial officer as Inspector-General of the Australian forces, by the giving of naval cadetships to the Colonies, and by the recent approval by the Queen of a new set of regulations under which commissions in the Imperial army may be obtained by officers of the colonial military forces and students of colonial universities who are *bona fide* colonists—two commissions each being

allotted yearly to New South Wales, South Australia, Victoria, Queensland, New Zealand, and the Cape, six to Canada, one triennially to Tasmania, and two every three years to the Royal Malta Militia.

Political federation is for the future to develop. It is certain that countries of the magnitude of Canada and the Australian States will claim the right to some consideration in determining the Imperial policy which so vitally affects their interests; it is equally certain that if federation comes about, it will be at the free wish of the constituents of the Empire. It is a question which should never be allowed to become a party one in this country, for it is far too big for that, and to treat it as a stalking-horse of faction would be to insult the great and growing communities which are equally interested in it with the inhabitants of these islands. Fortunately it has been as yet promoted by men of all parties and statesmen from opposing camps. It is no infringement of such an understanding to remember that it was first heralded by Conservatives, and that it is in thorough accord with the traditions and the principles of the Conservative party. It is not in a state for schemes of Imperial constitutions to be framed. It is at a stage when practical progress should be made, and when our fellow-subjects abroad may reasonably expect some further evidence that we in this country are in earnest about a closer union. The three aspects which may perhaps be treated practically with most advantage are—

1. Further organisation and more complete co-operation for Imperial defence—the *Kriegs Verein*.

2. A more thorough understanding and better organisation to assist healthy and well-considered emigration, alike in the interests of the Colonies and of our crowded population at home.

3. The provision of further facilities for intra-Imperial trade and commerce. The most effective bond would undoubtedly be a Customs Union—the *Zoll Verein*—but it is generally considered that, with the divergence existing between the views held at home and those given effect to in the Colonies on trade questions, this is at present impracticable. At the same time something may be done in the interest of the Colonies in the revision of expiring commercial treaties with foreign nations. The deliberations of the Conference showed that there was a large field for mutual accommodation and aid without raising the spectre of Free Trade and Protection. Such opportunities may be found in the institution of an Imperial penny postage, and in everything directed to promote communication and facilitate the transaction of business. For example, a line of first-class mail-steamers subsidised by the Imperial and Canadian Governments has been established between Hong-Kong and Vancouver.

"No one," said Lord Salisbury, replying to a deputation from the Imperial Federation League in June 1891, "can be more deeply convinced than I am of the profound importance of the subject with which you deal. It is nothing more nor less than the future of the British Empire."

Lord Salisbury on that occasion, when dealing with a proposal to convene another Imperial Conference, had indicated his view that we should not call eminent Colonial statesmen together from all parts of the world, in the existing position of the question, unless we were "prepared to lay before them for discussion some definite scheme of our own." In consequence of Lord Salisbury's utterance, the Council of the Imperial Federation League, on 6th July 1891, appointed a carefully selected Committee to submit "definite proposals by which the object of Imperial Federation may be realised." The report of this Committee was presented in November 1892. It summarised the essentials of a united Empire as:—

(a.) That the voice of the Empire in peace, when dealing with Foreign Powers, shall be, as far as possible, the united voice of all its autonomous parts.

(b.) That the defence of the Empire in war shall be the common defence of all its interests and of all its parts, by the united forces and resources of all its members.

To secure the first of these, there ought to be a body in which all its autonomous parts are represented; and to secure the second, it is necessary, as far as the self-governing portions are concerned, that there should be both a representative body and a common property in the means of defence: the primary requirements of combined defence being a sea-going fleet and naval bases.

To secure co-operation between the Imperial Cabinet and the great outlying possessions, it was proposed that when Australasia and South Africa are each united under one Government as Canada now is, and the three Dominions represented in London by a member of each Government respectively, these representatives should be available for consultation with the Cabinet on matters of foreign policy affecting the Colonies. It was further proposed that there should be constituted a Council of Defence of the Empire, to consist of members appointed by the United Kingdom and the self-governing Colonies, the three great groups being directly represented, India and the Crown Colonies being represented by the respective Secretaries of State and the Prime Minister, the Foreign and War Secretaries, the First Lord of the Admiralty being also members. The Council should deal with Imperial defence, receiving the necessary information on foreign policy, and supervising the appropriation of money provided by the common contribution of the United Kingdom

and the Colonies. The method of raising such contributions would probably in the meantime be left to the choice of each contributing State, but in future some uniform principle, by the allocation of special sources of revenue or otherwise, might be devised. "In proposing," said the Committee, "that the self-governing Colonies should bear the enhanced cost of their own defences, and thereby share the cost of the defences of the Empire in common with the people of the United Kingdom, your Committee desire to point out that by so doing these countries would be undertaking an incomparably smaller financial expenditure than would be required for their own defences, if they did not form part of the general scheme of defence adopted for the Empire." The maintenance of naval and military forces of a certain strength, efficient and generally available for mutual protection and support, might be an equivalent for a contribution to the Imperial exchequer. It was recommended that the self-governing Colonies should be invited to send representatives to a Conference called specially to consider as to "securing the unity of the Empire, and meeting the responsibilities of Imperial defence, and for the purpose of determining the basis upon which, and the method by which, contributions should be raised," should the Government be satisfied that the moment was opportune, and a favourable reception for their proposals could be reasonably anticipated. The invitation should be accompanied by a complete statement showing the necessities of the Empire, the means by which defence has been provided, and the proposed means and cost of providing it in future. The Committee proceeded to indicate further measures conducive to the permanent unity and integrity of the Empire, some of which could only be attained by local legislation. They specified among those more immediately practicable—

(a.) The admission of Colonial Government securities to the category of investments in which under British law trust funds may be placed.

(b.) The Imperial guarantee of local loans raised for purposes subservient to Imperial ends, such as immigration, dry docks, strategic cables, railways, &c.

(c.) The actual opening of the administrative services of the Empire outside the United Kingdom by holding local examinations for the Indian Diplomatic and Consular services, as is now done for the army and navy, and the more frequent appointment to governorships and other high posts of fit persons in whatever part of the Empire they may be domiciled.

(d.) The selection from time to time of eminent Colonial jurists to sit upon the Judicial Committee of the Privy Council.

(e.) Uniformity in certain branches of statute law, especially

commercial law, as, for instance, the law of bankruptcy and merchant shipping, increased facilities for the execution of legal processes, and so forth.

(*f.*) Uniform Imperial postage and special arrangements for telegraphic service.

“Among the measures which, if not at first practicable, might become so with the growth of a feeling of permanent National unity, the most important would be those connected with the fuller development of inter-Imperial trade, and the removal of existing hindrances thereto due to tariff arrangements.” “The sense of the permanence of the political union would,” the Committee believed, “naturally induce the people of the various countries in the Empire to make, for the sake of strengthening the Union, fiscal arrangements, which under existing circumstances they are not prepared to adopt.”

The Committee concluded by expressing their belief that “it will be a matter for great regret if the Imperial Government should fail to take, at the earliest fitting opportunity, the initial step of summoning representatives of the United Kingdom and of the self-governing Colonies respectively, to meet and to discuss the best means of formulating some arrangement for the future government of the Empire, which shall make satisfactory provision for the joint protection of its common interests.”

This report was on 16th November 1892 unanimously adopted, and copies ordered to be forwarded to Her Majesty’s Ministers both at Home and in the Colonies.

On 13th April 1893, a deputation from the League was received by Mr. Gladstone. The members of it submitted to the Prime Minister the advisability of summoning a Conference with the Colonies, called upon the initiative of the Imperial Government, whenever the Government might consider the opportune time had arrived. Mr. Gladstone spoke in a sympathetic tone. He pointed to “the enormous responsibility upon the Government” involved in the recommendation that such an invitation should be accompanied with “a plan stating the proposed means and estimated cost of providing by joint action in the future for the common defence.” He “concurred in the declaration of Lord Salisbury, made on an occasion not altogether dissimilar,” but he declared that “the public mind of this country is too largely occupied at the present moment with very great questions of Imperial interest and domestic interest, to allow us to suppose that any immediate step could be taken.” This is probably a periphrasis for “Ireland blocks the way.” He also doubted whether many of the Colonies were ready for practical discussion until they had determined important questions on their hands as to their own inter-colonial relations.

Subsequent to the reception of the deputation a suggestion



was made that a Royal Commission might be appointed to investigate the position of the Colonies with regard to present and prospective defence, and prepare the groundwork of a complete and authoritative statement.

It became more and more evident that the central organisation of the Imperial Federation League had fulfilled its main object in influencing public opinion both in the United Kingdom and the Colonies, and that the question had now reached a stage at which the *onus* of further advance lay upon Government, or upon other bodies who were more free to advocate particular practical aspects of the problem than a Central Council of so composite and comprehensive a complexion. The special report had represented "the maximum of political principles and opinions attainable as a homogeneous body by all the numerous and diverse elements" of which the League was composed. It had, therefore, "reached the limits of its effective action." The formation of the United Empire Trade League, and of a Colonial party in the House of Commons, had secured an even more forcible utterance for the sentiments of Imperial unity, and it was resolved by the Council to dissolve the central organisation at the close of the year 1893.

This does not mean the abandonment of the local organisations of the League throughout the United Kingdom, in Canada, and in Australia. On the contrary, it means the initiation of a new stage in the movement, the active forces of which will be able to do more good by appealing directly to the public on the various practical aspects of the problem to which they attach most importance.

## CHAPTER XXVI.

### MISCELLANEOUS QUESTIONS.

IN this chapter are collected notes on a number of topics likely to be canvassed at the next General Election, most of which have not elsewhere been touched upon in this volume. The subjects treated are the following, and they will be found in the order given :—

CRIMINAL APPEAL COURT.

PRISONERS GIVING EVIDENCE FOR THEMSELVES.

CORONERS' INQUESTS (SCOTLAND).

FREE TRADE, FAIR TRADE, PROTECTION.

SUGAR BOUNTIES.

COUNTY COUNCILS AND THE POLICE (SCOTLAND).

PAROCHIAL BOARDS (SCOTLAND).

HERITORS' ASSESSMENTS (SCOTLAND).

HOME RULE FOR SCOTLAND.

CONSERVATIVES AND THE FRANCHISE.

UNIVERSITY REPRESENTATION.

CUMULATIVE VOTE AT SCHOOL BOARD ELECTIONS.

COMPULSORY SHOP HOLIDAYS.

INSPECTION OF MINES.

SHIPPING :—

(1.) *Load-Line.*

(2.) *Lighthouse Dues.*

FISHERY QUESTIONS (SCOTLAND) :—

(1.) *Mussels.*

(2.) *Drying-ground for Nets.*

(3.) *Salmon in Sea.*

(4.) *Crown Rights in Salmon Fishings.*

(5.) *Trawlers and Line Fishermen.*

(6.) *Proposed Legislation.*

RIGHTS OF WAY (SCOTLAND).

CASUALTIES (SCOTLAND).

CLOSE TIME FOR HARES.

CLOSE TIME FOR TROUT.

OPIUM TRAFFIC.

SCOTLAND AND THE BOARD OF AGRICULTURE.

AGRICULTURAL HOLDINGS ACT.

EXTENSION OF CROFTERS ACT (SCOTLAND).

ACCESS TO MOUNTAINS.

HOME RULE FOR LONDON.  
METROPOLITAN POLICE.  
LONDON PROGRAMME.  
BI-METALLISM.  
TAXATION OF GROUND RENTS AND VALUES.  
WELSH LAND COMMISSION.  
IMPORTED BUTCHER MEAT.  
FEATHERSTONE INQUIRY.  
INTEREST IN PROPERTY IN LAND.  
HYPOTHEC AND HOUSE-LETTING (SCOTLAND).  
FEMALE SUFFRAGE.  
PAYMENT OF JURORS.  
VOLUNTARY SCHOOLS.  
RATING OF MANSION HOUSES.  
RATING OF MACHINERY.  
PARISH MINISTERS' RATES (SCOTLAND).  
FREE BREAKFAST TABLE.  
DEER FORESTS (SCOTLAND).  
THE NEWCASTLE PROGRAMME.

#### CRIMINAL APPEAL COURT.

As regards summary trials for trivial offences, there is, generally speaking, an appeal upon points of law, but none as to findings of fact, and there is a general agreement that this is the most satisfactory arrangement that can be made.

But there has been much recent discussion as to the finality of convictions following upon verdicts of juries in the supreme criminal courts of the country. Neither in England nor in Scotland can there be any review of the findings of juries as to facts, though in England the judges presiding at criminal trials can reserve points of law for the consideration of a full bench of judges; and in Scotland, where it is objected that a criminal charge is bad in law, the presiding judge, instead of proceeding with the trial, may "certify" the case for the opinion of the Court of Justiciary.

It is frequently urged that it ought to be the right of every prisoner convicted by a jury of a serious offence to have the whole case, facts and law, again threshed out before a court of law; but this would be a very serious matter for prisoners themselves, as it is now in America, where a man may find himself led out to execution months, or even years, after the sentence of death has been passed upon him. And it may well be argued that at present every prisoner has the benefit of a thorough review of his case by the most satisfactory tribunal, for every sentence is subject to the Queen's prerogative of pardon—a prerogative as to the exercise of which she is advised by the Home Secretary or the Secretary for Scotland, who have at their

disposal the highest legal and medical skill of the country, and are not hampered by any technicalities of legal procedure. This tribunal is not ideally perfect, for it exposes these ministers to the pressure of popular excitement; but there is much to be said for its continuance and against the substitution of any other in its place. The question, however, is quite open, and there is something to be said on both sides.

#### PRISONERS GIVING EVIDENCE FOR THEMSELVES.

There have been cases where the interests of a prisoner have been seriously imperilled by his inability to go into the witness-box and give sworn evidence as to the crime with which he was charged. This was recognised by the Criminal Law Amendment Act, 1885, which, in the case of offences under that Act, entitles a prisoner to give sworn testimony at his own trial, in which case he is liable to be cross-examined. The accused, however, need not go into the witness-box unless he chooses. The principle having been thus given effect to in one class of cases, it does not seem easy to argue against its extension to all others. One illustration of the importance of this question may be given. In 1891 an old man of eighty years was tried and convicted of an offence, and suffered imprisonment. The same question was raised by a civil action. He was then examined as a witness, and by consent of counsel on both sides, and with the full concurrence of the learned judge who tried the case, it was admitted that he had actually proved his innocence; that there could be no doubt that the conviction was wrong; and that, if he had been capable of giving the same evidence on the criminal trial as he had given in the action, the result would have been different. On the other hand, where a man who really is guilty gives evidence on his own behalf and is cross-examined, he is more likely to strengthen than to weaken the case against himself. There is much to be said in favour of the system by which the prosecutor must prove the guilt of an accused person independently of the accused's own testimony, if the result or tendency, at any rate, of making the accused either a competent or a compellable witness, would be to put upon him, as is the case in France, the *onus* of proving his own innocence.

#### CORONERS' INQUESTS (SCOTLAND).

England has Coroners whose duty is the investigation of crime, but their powers are limited, for they can only inquire into the causes of violent or sudden death, and into these only when the body has been found. When the Coroner cannot act there is no authority to examine witnesses until a suspected

person has been actually charged or accused before a magistrate. The Coroner's investigation takes place in public, a method which has its advantages as well as its disadvantages. The publicity given to the proceedings has in some cases led to the finding of the guilty person, and in others to his escape.

In Scotland there is no Coroner, but the system adopted for the investigation of crime gives general satisfaction. It is carried out in the various districts of the country by officials called Procurators Fiscal. Whenever a sudden or accidental death occurs the Procurator Fiscal makes a thorough investigation into the circumstances under warrant from the Sheriff, obtaining expert assistance where necessary. He then reports the case for the consideration of Crown Counsel, who direct what further proceedings, if any, are to be taken.

Perhaps the system which has grown up in each country is the one most suited to it. It is thought, however, that it would be well if the Lord Advocate were sometimes to exercise the power which he probably possesses of ordering a public inquiry in the case of sudden or violent death, serious fire, riot, and other grave crimes or calamities. There exists, too, a desire on the part of certain of the industrial classes in Scotland for public inquiries in the case of accidental deaths in public works and trade employment. Recognising the growth of public feeling in this direction, the Lord Advocate (Mr. J. B. Balfour) introduced into the House of Commons a Fatal Accidents Inquiry (Scotland) Bill on 18th May 1893. Being unopposed, it rapidly passed the first and second readings, and was remitted to the Standing Committee of the House of Commons on Law. As amended by that Committee, the three main features of the Bill were (1) that the cases for inquiry (which inquiry was to be made by the Sheriff on petition presented by the Procurator Fiscal) were limited to fatal accidents occurring to persons engaged in industrial employments; (2) that there was to be no jury; and (3) that there was to be no finding of the cause of death, but only a report of the evidence, this last feature being due to a feeling that it would hardly be right to ask a person who might afterwards be called upon to judge in a trial arising out of the accident to make a finding as to the cause of death. As soon as the Bill emerged from the Standing Committee, certain Trades Councils, Trades Unions, and miners resolved to bring pressure upon the Government, and they sent a deputation to the Lord Advocate to tell him plainly, that unless the principle of a jury were granted, they would oppose the Bill. The Lord Advocate pointed out to the deputation that the only hope of passing the Bill was by keeping it non-contentious, and that to introduce the principle of a jury would most certainly render it contentious, because it

would (1) involve the appointment of additional Sheriffs and other items of expense, and (2) throw a heavy burden upon the citizens who had to discharge the duties of jurors, and that at a time when the Employers' Liability Bill proposed to throw additional work upon jurors. He further told the deputation that in Lanarkshire alone their proposal would involve the summoning each year of 4000 extra jurors. The deputation, however, insisted on a jury, and the Lord Advocate, on consulting his colleagues, reluctantly withdrew the Bill on 11th September 1893, and thus a measure as to which the Standing Committee was practically unanimous has been delayed.

### FREE TRADE—FAIR TRADE—PROTECTION.

The principle of Free Trade consists in an exchange of commodities between different countries, each producing what the soil, climate, and habits of the people render most beneficial to itself; and if, as Cobden and his school expected, all other countries had followed our example and adopted this principle, there can be no doubt that the glorious prospects to which they looked forward would have been realised. But unfortunately we stand almost alone, for other countries justify Protection on the ground that it protects national labour and promotes the welfare of the poor. British trade is therefore put in this unfair position, that our manufactures are kept out of foreign countries by excessive duties, while we permit those very countries to send their manufactures into our ports duty free.

It seems a matter worthy of serious consideration whether the trade of this country cannot receive fair treatment without doing violence to the principles of Cobden.

### SUGAR BOUNTIES.

Britain has been most unjustly treated with reference to her sugar trade. France, Austria, and Germany allow large bounties on the export of sugar. Two results have naturally followed. Britons pay a few farthings less per lb. for their sugar, and the trade of our West Indian colonies is being rapidly ruined. When it has been quite ruined, France, Austria, and Germany will, of course, make Britons pay what price they think fit.

The Unionist Government of 1886-92 overcame foreign opposition, and induced nearly the whole of the other sugar-producing countries to agree to a convention which would have established free-trade in sugar, and enabled our colonies and our workmen to compete on fair and equal terms with the foreign producer. When they went to Parliament for ratification of this convention the price of sugar unfortunately rose, owing entirely to



the temporary operations of the Magdeburg syndicate. The Radicals saw their opportunity, and attributed the rise in sugar to the proposed convention, which could not possibly have been the cause of a rise two years before it was to come into operation. However, the country became alarmed, and the convention still remains unratified, much surely to the disappointment of Mr. Gladstone, who wrote thus in 1879 to the Workmen's Anti-Bounty Association :—

“My desire is that the British consumer should have both sugar and every other commodity at the lowest price at which it can be produced. But I cannot regard with favour any cheapness which is produced by means of any subsidies of a foreign State to a particular industry, and with the effect of crippling and distressing capitalists and workmen engaged in a lawful branch of British trade.”

#### COUNTY COUNCILS AND THE POLICE (SCOTLAND).

The Police Committee for a county manages the police, appoints the chief constable, suggests alterations in numbers, &c., &c. Under the Local Government (Scotland) Act, 1889, this committee does not consist entirely of men chosen from the County Council, but is a standing joint committee consisting of equal numbers of Commissioners of Supply (who are all owners) and County Councillors (but not more than seven of each), along with the Sheriff, and the question is often asked why this should be so. Three reasons are given.

*First.* Prior to the Act of 1889 the cost of maintaining and equipping the police of a county fell entirely upon owners. Under that Act the rule is fixed thus. An average of the police rate for the ten years prior to the Act was struck, and now forms a permanent rate upon owners only. Where the amount required exceeds this stereotyped rate, the excess will be divided between owner and occupier, according to the general rule; so that the burden upon owners may increase, but can never in future be lightened. It is therefore, it is contended, only just that those who pay for the police should have a decided voice in their management.

*Second.* The management of the police is a matter of peculiar delicacy, and even in the old days, when the Commissioners of Supply reigned supreme, was not entrusted to them alone, but was committed to the care of a Police Committee, consisting of the Lord Lieutenant, the Sheriff, and a certain number of the Commissioners, from three to fifteen. And so now, such is the importance of a steady and continuous administration of matters relating to the police, that it has been entrusted to a body representative of more interests than one.

*Third.* And this is no doubt the governing reason. In times of disquiet, of great strikes in industrial counties, or of agrarian agitation in rural ones, it is not inconceivable that the majority of the popular electorate in a county might, for the time being, be disaffected towards the law which it is the duty of the executive government to enforce.

#### PAROCHIAL BOARDS (SCOTLAND).

Reformation in the constitution of these Boards was part of the comprehensive scheme for the improvement of local government in Scotland, submitted to Parliament in 1889 by the Unionist Government, but it was not carried into law owing to the obstructive loquacity of certain well-known Gladstonian members.

Reformation is certainly needed. There are burghal and non-burghal parishes. In burghal parishes there are seated at the Board four representatives of the kirk-session, four representatives of the magistrates, and a certain number of elected members—by statute an indeterminate number, but determined by the Board of Supervision. In non-burghal parishes, which are the vast majority, the position is this. The kirk-session is represented by a number somewhere about three, and any royal burgh within the parishes is entitled to be represented; and then there are all the owners of land of over £20 a year value; and, besides, there are members elected by the ratepayers other than the owners. That, however, does not complete the complexity of the machinery, because in the election of the elected members, the ratepayers have a plural vote. That is determined by the annual value of the property upon which the ratepayer is qualified to vote as occupier. A ratepayer may be so fortunate as to have six votes, while all the others have but one. One startling result of this system occurs in the parish of Old Machar, in the immediate neighbourhood of Aberdeen. The number of owners of £20 value who sit on that Parochial Board is 2164. Now, seeing that the business in hand is the administration of parochial relief, it is clear that to invoke and employ 2164 Aberdonians is a great throwing away of intellectual power.

The scheme submitted by the Government in 1889 abolished the present Parochial Boards and transferred their powers to Parochial Boards consisting of a chairman and parish councillors, to be elected one-half by owners and the other half by occupiers, the electors in burghal parishes consisting of the municipal electors with the addition of such service franchise occupiers as claimed to be rated; and in landward parishes, of the County Council electors. As the poor and school rates are payable half by owners and half by occupiers, this seemed an equitable arrangement.

## HERITORS' ASSESSMENTS (SCOTLAND).

Heritors or proprietors are owners in trust for the community of churches and mansees, and these they are bound to maintain, and, when necessary, to renew. This is not a tax, but an inherent burden on their property, which qualifies their right to the property itself. For reasons which it would take too much space here to explain, the assessment is now in many parishes imposed, not on the old valued rent, but on the real rent, with the result that feuars and owners of works have to pay upon their buildings. In some places this has been resented as a grievance. The Church has done all it can to remove the alleged hardship. A Bill to relieve feuars has been several times introduced in Parliament with the approval of the Church, but on every occasion it has been opposed and prevented from passing into law by Radical Dissenters, who batten on all weaknesses and causes of offence in the Establishment, and are most unwilling to be deprived of any of their stock-in-trade.

## HOME RULE FOR SCOTLAND.

Never did Scotland fare so well at the hands of the Imperial Parliament as during the five sessions from 1887 to 1891. During these years she obtained forty-seven public statutes entirely limited in their scope to herself, while in the previous sessions, during the Government of Mr. Gladstone, from 1881 to 1885, both inclusive, she only obtained twenty-four Acts. Besides these, Scotland has a joint interest with other portions of the United Kingdom in 155 additional statutes passed since 1887, making the total of the legislation so passed affecting Scotland in the last five years over 200 statutes. When after counting these Acts we proceed to weigh them, they will be found to be of excellent quality. They are detailed at greater length in other parts of this volume, as are also the neglect and bungling of Scottish business since the General Election of 1892.

There is no doubt that even under Unionist administration Scotland had a grievance. Her interests did not receive from the Imperial Parliament that attention which they deserved, and they never will until her interests are placed on an equality with those of Ireland by obtaining continuous direct representation in the Cabinet. But to seek to remedy this grievance by breaking up the Imperial Parliament, and placing the administration and legislation of Scotland in the hands of a parochial assembly, is surely the height of folly. A very remarkable feature of this movement for Scottish Home Rule

is that its ardent supporters are, as a rule, the most sturdy opponents of every honest effort that is being made to relieve the Imperial Parliament of part of the incubus that weighs upon it. Session after session they opposed every effort of the Unionist Government to secure investigation in Scotland for Scottish private Bills. But Scottish Home Rule can hardly be called a movement. So low did its life ebb in April 1891 that the Scottish Home Rule Association found it necessary to issue a manifesto setting forth the lamentable lack of interest taken in this subject, and speaking in plain language to the leaders of the Liberal party, who were said not to intend or wish to give that consideration to the claim of Scotland for a National Legislature which it required. As the Liberal leaders paid no attention to the manifesto, and showed no sign of mending their ways, it was thought necessary to jog them up a little, and so a Scottish Home Rule Bill in Parliament, fathered by Dr. Hunter, M.P. for North Aberdeen, soon saw the light. It was further thought desirable to be able, when the Bill should come up for discussion in the House of Commons, to refer to local enthusiasm, and so a great public meeting was convened to meet in Edinburgh on 13th March 1892. An exceedingly appropriate chairman was found in Professor Blackie, for when that genial scholar is announced to preside at a public meeting there is a general looking forward to plenty of fun and frolic, but no expectation that serious business is to be transacted. The audience was not large in number, and the description of its character may be taken from the learned chairman, who used epithets a critic would fain avoid, for in the course of the proceedings he found it necessary to call his listeners "a parcel of shallow fools." Having been thus characterised, what did they proceed to do? After a very considerable exodus, for the fun was not brisk enough, the few boys and youths who remained resolved unanimously to petition in favour of Dr. Hunter's Bill.

And Lord Rosebery was very unkind; for in a speech at Edinburgh on 12th May 1892, he quietly ridiculed Dr. Hunter's Bill out of countenance to such an extent that one of its sponsors, Mr. A. L. Brown, felt compelled to rise in self-defence and confess that he had put his name on the back of the Bill without having read it.

This unfortunate Bill received more serious but scarcely more merciful treatment at the hands of the Convention of Royal and Parliamentary Burghs held in Edinburgh on 5th April 1892, when that ancient body resolved, by a majority of 39 to 24, not to petition in its favour. It must not be supposed that even twenty-four persons could be found in Scotland who think well of Dr. Hunter's Bill, for the worthy councillor who moved the resolution in its favour described (and in so doing obtained

the very general assent of the meeting) the proposed new legislature as "very narrow and unsatisfactory," and to the minds of the twenty-four the Bill seemed attractive because it embodied some undefined aspiration, and would be a spur to waken up public opinion across the border to a recognition of Scottish needs. The House of Commons was still more merciless. The Bill was on the paper for 26th April 1892, and, with the aid of a few Irish Nationalists and English Jacobyns, Dr. Hunter kept a House. No fewer than a dozen Scottish members are said to have been present to decide the Parliamentary future of their country. But Dr. Hunter's statement was too much even for this faithful band. One by one they stole away, until but thirty-six members, all told, remaining, the House was counted out, leaving Dr. Hunter and his colleagues free to set out for Scotland, there to complain how deplorably Scottish business is neglected at Westminster, and how impossible it is, owing to the pressure of English and Irish affairs, to find time for the discussion of topics of interest to Scotland.

Altogether, 1892 was a bad year for the Scottish Home Rulers. They met at Dumfries on 3rd June 1892 to hold their fifth Annual Conference. The evening meeting was presided over by Mr. R. T. Reid, M.P., but finding himself in strange company, he took the precaution to remark that it must be understood that each speaker was responsible for everything he said, but not for what anybody else might say. But the Conference itself was most amusing. The members occupied themselves principally in throwing venomous darts at the Gladstonian leaders. In particular, Mr. Charles Waddie, one of the honorary secretaries of the Scottish Home Rule Association, was delightfully frank. He is reported to have said:—

"The climax came when Mr. Gladstone issued his address to the electors in June 1892. The Scottish Home Rule Association could stand no more, and its officials sent a letter to Mr. Gladstone, stating that having read his address to his constituents, they begged respectfully, on behalf of all Scottish Home Rulers who might concur with them, to express their regret that they were unable to support Mr. Gladstone and his party at the General Election."

1893 has also been a bad year for these Scottish patriots. The Convention of Royal Burghs met on 5th April 1893, and only nineteen could be found to vote in favour of an abstract resolution for a Scottish legislature. This defeat did not, however, daunt them much, because they felt certain that if they could only secure an evening in the first session of the Parliament in which Mr. Gladstone had a majority, they could not fail to carry a resolution in the House of Commons.

The evening came (the 23rd June 1893), and Dr. Clark, seconded by Mr. R. T. Reid, introduced the resolution; but, alas! Mr. Gladstone deliberately absented himself, and all the most important of his colleagues took the same course. When the discussion began there were not thirty members in the House, but as no one was so cruel as to call attention to this fact, the debate went on its languid way for three hours. When the vote was taken there were 318 members in the House, but though all the members of the Government present voted with Dr. Clark, they found themselves in a minority of eighteen, a result announced amid loud Opposition cheers. The extraordinary conduct of Mr. Gladstone and his principal colleagues in absenting themselves on this occasion, made it necessary that an attempt should be made in the House of Lords to ascertain the mind of the Government upon this matter. The attempt was made on the 30th June 1893. The debate was amusing. Lord Rosebery threw cold water on the Home Rule enthusiasm of his colleague Sir George Trevelyan, and showed his well-known skill "in wandering with comfort over very difficult and stony country." But the result was *nil*. Lord Kimberley opposed "a dead wall of ignorance." Lord Rosebery "raised a cloud of chaff." When the "Master" comes to the conclusion that "Home Rule for Scotland" has a purchasing power in the vote market, he will instruct it to be added to the Newcastle Programme—but not till then.

The only immediate result of the vote in the House of Commons is a deadly feud between Mr. Gladstone's committee in Midlothian and the officials of the Scottish Home Rule Association. The latter sought the co-operation of the former; and as this was refused, they have come to the conclusion (no doubt quite rightly) that orders had been received from London to "throw cold water upon Scottish Home Rule;" and they describe the chaff of Lord Rosebery (President of the Midlothian Liberal Association) as "insolent levity."

Much more might be said, but it is perhaps unwise to take the extravagances of Scottish Home Rulers too seriously.

Scotsmen are not prepared, as are Irish Nationalists, to renounce their share in the government of the Empire. This would certainly follow the establishment of separate parliaments in the three kingdoms, for as England has four times the population and wealth of Scotland and Ireland combined, and her Capital is the seat of Imperial Government, if there are to be separate parliaments the advisers of the Crown must enjoy the confidence of the English Parliament. Taxes could not be levied in England to carry out an Imperial policy of which the majority in the English Parliament disapproved.



## CONSERVATIVES AND THE FRANCHISE.

The Reform Bill of 1832 was a Liberal one, but the Conservatives introduced into it by amendment the clause which then for the first time enfranchised tenant farmers and gave them their votes for the next thirty-five years. The Reform Bill of 1867 was a Conservative one, and it for the first time enfranchised the working men of our great cities. The Reform Bill of 1884 was a joint Liberal-Conservative one, and it gave a vote to the agricultural labourer. Unscrupulous persons often say the Conservatives opposed the Bill of 1884. The Conservative position is easily explained. There was in England at that time a population of about 12,802,000 in the burghs, and of about 12,811,000 in the counties. But there were 110 more burgh than county members, and if the franchises had been made the same, pretty much the same number of electors in the burghs would have returned 110 more members than their similarly qualified and equally numerous neighbours in the counties. Lord Salisbury therefore insisted that the extension of the franchise in the counties should be accompanied by an equitable rearrangement of the constituencies. Mr. Gladstone stormed, but was afraid to face the country on the question, and at last gave way. So that the Conservatives not only joined with the Liberals in making a new body of county voters, but also, in the teeth of Liberal opposition, largely increased their electoral power.

## UNIVERSITY REPRESENTATION.

England sends five, Scotland two, and Ireland two University members, to the House of Commons, and a shallow cry is often raised against University representation by those who think of nothing but what will benefit a particular party. A very little thought would make it evident that the Universities are entitled on sound principle to have a voice in the deliberations of the great council of the nation, and that the nation has a claim to their advice. The principle can be stated in a couple of sentences: "In a free state, political power cannot with prudence be denied to any actually existing and operative social power, and in the learned class such power does exist to a far greater extent than is indicated by their numbers or wealth. There is here, therefore, a social force of which a suffrage based on numbers or wealth can take no cognisance, and a consequent claim for direct representation."

### CUMULATIVE VOTE AT SCHOOL BOARD ELECTIONS.

It cannot be said that the exercise of the cumulative vote has been altogether a success, but the object of the cumulative vote is a thoroughly good one, and until a better method of carrying that object into effect has been discovered, much can be said for its continuance. The object is to give an influential minority some little say in deliberation. For instance, no one can deny the right of the Roman Catholics to a voice in the deliberations of the School Board for the City of Edinburgh, a right which they could not possibly enjoy without some such device as that of the cumulative vote, and a right which through the operation of the cumulative vote they actually do enjoy.

### COMPULSORY SHOP HOLIDAYS.

Many people show a great desire to have everything done for them nowadays by Act of Parliament, but the true principle would seem to be that Parliament should only protect those who are not in a position to protect themselves. Adult male labour in shops is well able to take care of its own interests, but a very moderate Bill<sup>1</sup> was introduced by Mr. Provand (G.L.), and became law in 1892. The second reading was carried by a majority of only twenty-three votes, because there was a strong feeling that the question was one deserving more thorough consideration. The division did not proceed at all upon party lines. The principal features of the Act are:—

(1.) The employment of young persons in shops for more than seventy-four hours a week (including meal-times) is prohibited.

(2.) The employer is required to exhibit in his shop a notice stating the maximum hours, and is made liable to a fine for contravention of the Act.

(3.) The council of any county or borough are empowered to appoint inspectors to carry out the Act; which is further deemed not to apply to members of the same family, employed in the shop, and dwelling in the building of which the shop forms part, or to domestic servants.

### INSPECTION OF MINES.

Miners deserve and have received special attention from the legislature (see Chap. VIII.), but there is still a matter of an administrative nature regarding which they seem to have a just cause of complaint, though it is true some of them complain of many things for which remedies have already been supplied by

<sup>1</sup> See p. 372.

the Unionist Government, but of which they are carefully kept in ignorance by the Radical demagogues who in many places have established themselves as the miners' advisers.

They complain that inspectors are too few, and their districts, therefore, too large. What is wanted is that thoroughly practical men shall have charge of districts of such size that they can visit each pit once or twice a week. The miners further complain that the inspectors come and go and they are told nothing as to the nature of the Report. There seems no reason why the miners should not have this information furnished to them in the most accessible form.

#### SHIPPING.

*Load-line.*—A great grievance formerly existed among the shipping community in respect of the exemption from the regulations as to the load-line of foreign vessels, which were thereby able to carry large cargoes; but the grievance has of late been greatly reduced by the granting of power to the Board of Trade to detain any vessel leaving a British port which, in the opinion of the officers, has not a sufficient free-board. This power has been exercised at the instigation of British ship-owners against several foreign vessels in different ports. There does not seem to be any regulation as to the depth of loading of inward cargoes, but foreign vessels arriving at a British port at certain seasons of the year with a deck load are liable to a fine.

*Lighthouse Dues.*—In almost every other country of commercial importance lighthouses are maintained out of the public revenues, but in Britain they are paid by the merchant shipping. This does not seem a great grievance, for though they are in the first instance paid by the merchant ship, they ultimately come out of the pockets of the general community, and, in fact, seem to be thus more evenly spread than would be the case if they were made a charge on the Consolidated Fund. Her Majesty's ships pay no lighthouse dues.

#### FISHERY QUESTIONS (SCOTLAND).<sup>1</sup>

*Mussels.*—In some parts of Scotland these are to be had free for the trouble of gathering them. In other parts prices vary very much, going up in some districts to as much as 20s. per ton. Mr. Munro Ferguson has mussel-beds which he lets to an Aberdeen firm, who charge 20s. per man for the privilege of gathering them, and many fishermen have to go to Ireland and to Holland for mussels.

<sup>1</sup> See also p. 97.

All mussel-beds ought to be acquired by the Crown, and put under the management of the Fishery Board. Then the area of cultivation could be largely extended, the quality much improved, and the price immensely reduced.

*Drying-ground for Nets.*—Fishermen have a grievance in this respect. They have, of course, the full use of the foreshore—that part of the shore between high and low water-mark—for any purpose connected with their occupation; and they have also the right to use the land within 100 yards of high water-mark for the purpose of drying their nets or beaching their boats, but only so long as the owner chooses to leave that strip *waste* and uncultivated. The owner has only to enclose or cultivate, and then the fisherman is confined to the space between high and low water-mark, unless he can come to terms with the owner. It would seem just to give County Councils the power, under suitable restrictions, to secure for fishermen, at a reasonable price, sufficient space for carrying on their avocations.

*Salmon in Sea.*—Salmon within territorial waters in Scotland are the property of the Crown, or the Crown's grantees. In the open sea beyond these waters—that is, three miles beyond the shore, and the mouths of estuaries measuring less than ten miles from headland to headland—anybody may take salmon, and those who take them may land them if it be not close time. The notion that there is anything against this is a popular delusion. The burden, however, of showing that the fish were taken beyond the territorial waters would probably lie upon the persons found in possession of them.

*Crown Rights in Salmon-fishing.*—From a very early period the right of salmon-fishing has been the property of the Crown, and has been made available to individuals by permanent grants or temporary leases. After the Commissioners of Woods and Forests took over the administration of salmon-fishings in 1832, the practice of making grants was long discontinued, and only leases were granted. Some sales for a full price have, however, recently been made. When leases expire an opportunity might be given to local authorities, or local bodies of fishermen, to purchase or lease the fishings so that they might issue licences on reasonable terms to all who wished to exercise the privilege of fishing, and the Unionist Government undertook to carry out this proposal (see p. 100). To make this right more valuable, power might be given to put some restraint upon the netting operations at the mouths of rivers which obstruct the upward passage of the fish.

*Trawlers and Line Fishermen* are perhaps both unreasonable. There is ample room for both, and the public require the services of both. The Legislature has striven to safeguard the

interests of the line fishermen—that is to say, the Legislature has given ample power to the Fishery Board to deal with the matter, subject to the approval of the Secretary for Scotland. On the 27th September 1892 the Fishery Board resolved to close against trawlers the waters within a line drawn from Duncansby Head, in Caithness-shire, to Rattray Point, in Aberdeenshire; and on the 23rd November 1892 the Secretary for Scotland confirmed this by-law. For this great boon the East Coast fishermen are indebted to Mr. Finlay (late Unionist member for the Inverness Burghs), for it was on his strong recommendation that the necessary clause was introduced into the Herring Fishery Act. But the really important matter is that, wherever the line is drawn, the trawlers shall be under proper supervision; and at present the line fishermen have great reason to complain of the utterly inadequate sea-police available for this purpose. The gun-boats are miserably defective, both as to numbers and as to speed; but improvement has been promised.

*Proposed Legislation.*<sup>1</sup>—Two Bills dealing with these and other grievances were introduced in 1891, one by Lord Lothian, and the other by Messrs. Marjoribanks, Duff, Hill, Finlay, Malcolm, and Sutherland. If Mr. Marjoribanks could have seen his way to accept the Unionist Government Bill so far as it went, and then to proceed to improve it in Committee, he might have been successful in getting the prominent features of his own Bill embodied in an Act of Parliament; but as he was obstinate, both had to be withdrawn. The Secretary for Scotland intimated to a deputation on 7th March 1892 that he had a Bill in draft ready for introduction which would deal with all these points, and on the 8th March 1892 the First Lord of the Treasury accepted, on behalf of the Government, resolutions of similar terms moved by Mr. Marjoribanks, and added further, that the Government intended (1) to take power to acquire mussel-beds compulsorily; and (2), (accepting a motion of Mr. Anstruther, M.P.) to obtain power for the District Fisheries Committees to issue licences to fishermen to fish for salmon on suitable parts of the coast of Scotland. No time was lost. Lord Lothian piloted the Bill through the House of Lords, and on the 21st June 1892 it was read a second time in the House of Commons, in spite of the active opposition of Dr. Clark; but it was impossible to proceed with it further in consequence of the determined hostility of Dr. Clark and Dr. Hunter. The Bill was withdrawn. Dr. Clark and Dr. Hunter were jubilant. The fishermen suffer. The present Government introduced a Bill in 1893, but they weighted it with such an intolerable clause for levying rates on people who had nothing to do with fishing in certain arbitrarily selected areas, that nearly every county and all the great

<sup>1</sup> The measure of the present Government is discussed p. 300.

cities concerned protested and appealed to the House of Lords to protect them against this injustice. The House of Lords passed the Bill, but cut out the unjust rating clause. The Government then, in the sulks, threw over the whole Bill. The fishermen still suffer.

#### RIGHTS OF WAY (SCOTLAND).

There exists a belief in many quarters that public rights of way are being lost in many places, and there is a desire that the protection of these rights should be entrusted to the County Council. When these councils were first initiated, and were new to their business, it was felt to be undesirable to embarrass them with delicate work of this kind. But this difficulty no longer exists, and there seems, therefore, to be no reason why this duty should not be imposed upon them. It would put an end to those scenes of lawlessness which so often attend the assertion of rights of way, and it would protect proprietors against the hardship of having to fight costly litigations against persons who, if they lose, have no means from which costs can be recovered. The notion entertained by some that County Councils would at once plunge into a series of costly litigations seems quite unreasonable in view of the sober business capacity already displayed by these bodies. As a safeguard, however, against a proprietor's own money being used to fight himself, a provision might be inserted that in case of an unsuccessful litigation the costs shall be separately rated for, and the lands of the successful proprietor shall be exempt from the rate.

#### CASUALTIES (SCOTLAND).

By ancient feudal law the superior on the death of his vassal was entitled to a fine for entering the new vassal. According to modern feudal law this fine, where not otherwise stipulated for, consists of an extra year's feu-duty if the new vassal be the heir of the preceding vassal, and a year's rent of the property if he be a singular successor. This is an irksome arrangement according to modern ideas. But it is a mistake to suppose, as is often the case, that nothing has been done to remedy the evil. By the Conveyancing Act of 1874, passed by a Conservative Government, it is made incompetent henceforth to stipulate for the payment of a casualty on the entry of a new vassal. Provision was also made for the redemption of existing casualties. By paying a sum equal to the amount of one casualty, plus 50 per cent., the vassal can release his property from this burden in all time coming, or he may do it by adding



to the feu-duty 4 per cent. on the interest of that sum. Considerable hardship and much irritation are sometimes occasioned by an unforeseen revival of claims for casualties which have been long allowed to lie in abeyance. It is highly desirable that these burdens should be altogether extinguished by a compulsory commutation for a small annual sum. It is urged by many that the conditions of redemption in the Act of 1874 are too onerous.

#### CLOSE TIME FOR HARES.

Since the passing of the Ground Game Act hares have become nearly extinct in some quarters of the country, not from hatred but from love towards them on the part of those having a right to kill them. Where a number of persons, having each only a comparatively small piece of ground, have a right to kill hares, nobody feels that his sparing them will make any difference, and consequently they get no protection. In order to preserve this interesting, palatable, and most sporting animal, by an Act passed in 1892 (55 & 56 Vict. c. 8), protection has been provided for them during some months in the year, when they can bring forth their young in peace, none daring to make them afraid. Sir William Harcourt, with characteristic selfishness, objected to this because he likes leveret, and because he feared for his carnations; but Mr. Broadhurst backed the Bill. It is now unlawful during the breeding season, viz., 1st March to 31st July, to sell or expose for sale a hare or leveret unless imported from abroad. It may be assumed that during this period hares will no longer be killed unless they are doing serious mischief to young crops.

#### CLOSE TIME FOR TROUT.

Art may or may not be for the few, but, as pointed out elsewhere, trout-fishing can never be for the many, as there is not enough water in this country to provide occasional fishing for one-tenth of the population. In order, however, to make waters go as far as possible in the way of providing sport, and to protect trout from extirpation by angling zeal, it is proposed to make a close time, during which it shall be unlawful to take trout by angling or any other means.

#### OPIUM TRAFFIC.

The accounts received from India as to the injurious effects of the opium traffic upon our fellow-subjects in that

dependency have been grossly exaggerated. Still it is urged by many in this country that Britain's connection with the growth, manufacture, and sale of the opium obtained from the poppy plant is not altogether creditable. This feeling exists among the supporters of both great political parties, and an illustration of this is found in the fact that on the 10th April 1891, upon the motion of Sir Joseph Pease (G.L.), seconded by Mr. (now Sir) Mark Stewart (C.), the House of Commons, by a considerable majority, adopted a resolution declaring the present system morally indefensible, and urging the Indian Government to cease to grant licences for the cultivation of the poppy and the sale of opium in British India, save as might be required for legitimate medical purposes. There can be no doubt that both before and after the adoption of that resolution, the Government of India was honestly doing its best to limit the traffic. The question has a serious financial aspect, because the Government of India derives an annual revenue from this source of not less than two and a half millions sterling, and it is urged that if the Indian Government is to prohibit the growth of the poppy, which is said to be the only effectual remedy, they will look to this country to make up the deficit. It is contended by many Indian civilians that people dogmatise upon the matter without any sufficient knowledge. When a person in this country takes to consuming opium it is generally a very bad case, the habit grows upon him and destroys him, morally and physically. It is not so, it is urged, in the East, although, no doubt, there are there many slaves to the habit. Millions of the Chinese, the most industrious people in the world, take opium daily all their lives. Medical testimony is to the effect that the consumption of opium in the East is not so baneful as it would be in the West. It is a mistake too, it is said, to suppose that the Indian Government forces the drug upon China. China produces opium, though of inferior quality; and the Chinese objection to the India drug was protective, not moral. According to Lord Kimberley (10th November 1892), there is now no compulsion upon China. It is urged by some that the production of opium, without being suppressed, should be taxed in some other way than by the present monopoly system. In dealing with this question it is most desirable that officialism should pay due respect to moral sentiment, and that moral sentiment should be based upon a full and just appreciation of all the facts of the case. On the 30th June 1893 the House of Commons resolved to present an humble address to Her Majesty, praying for the appointment of a Royal Commission to investigate and report on the whole matter. The Royal Commission has since been appointed, and is now taking evidence in India.

## SCOTTISH MEMBER ON BOARD OF AGRICULTURE.

The excellent work being done by this Board has already been set out in Chap. V., but there is a very strong feeling in Scotland that if there was upon it a more direct representation of Scottish views of agriculture generally, its action would command far greater confidence. It is true that the Secretary for Scotland is a member of the Board, but what is wanted is a thoroughly practical agriculturist, who would unite in his person all Scottish interests.

A great impetus was recently given to this feeling when, on the retirement of Sir James Caird, his place as a member was not filled up; but it has to be remembered that Sir James Caird was appointed, not because he was a Scotsman, but because he was an eminent agriculturist. Unfortunately, there does not appear to be a Scotsman who can in all respects fill the unique position occupied by Sir James Caird, and it is therefore not easy to see how the Government can comply with the resolution arrived at by the Highland and Agricultural Society on February 3, 1892, which requested them to appoint a Scottish representative on the Board. Sir James Caird's appointment was quite exceptional, and was more of the nature of a personal compliment than anything else. The Board of Agriculture is a department of Government like the Board of Trade, with one responsible head, the other members of the Board being other ministers of the Crown whose office is only formal. It is hoped that some means may be found by which Scotland's voice may be heard in the councils of the department by the appointment, when an opportunity occurs, of some one in touch with Scottish agriculture to one of the permanent posts on the staff of the department.

## AGRICULTURAL HOLDINGS ACT.

The tenant obtains the benefits of this Act when he quits the land. It is urged by some that at the close of every lease, or at every period of readjustment of rent, a tenant should be entitled to have the unexhausted value of his improvements ascertained and allowed for, as otherwise he might still be rented on his own improvements. There would be great practical difficulty, however, in giving effect to this view, which would cause a dispute at nearly every lease renewal; and the hardship is a theoretical, not a practical one. It takes two to raise the rent in these days, and if the proprietor tries to raise the rent because the tenant has improved the land, the tenant can walk away and make the proprietor pay cash down for all the improvements.

EXTENSION OF CROFTERS' ACT (SCOTLAND).<sup>j</sup>

*To the whole of Scotland.*—The question is often asked why certain counties in Scotland should be favoured by the operation of this Act, and others excluded from its benefits. The Crofters' Act was passed in 1886, during a Liberal Parliament, under the auspices of a Liberal Government, and the subject was carefully considered then, and they declined to extend it because the conditions in other counties were not such as to require the same remedy. If there were in any county a large number of small tenants under similar conditions and holding on similar tenure to those who are at present under the Act, and if they desired that the Act should be extended to them, there would be great force in the contention that their exclusion was arbitrary and unreasonable. The question whether in any part of Scotland such a condition of matters exists is one of fact which could not here be adequately examined. On the 11th May 1892 in the House of Commons the Unionist Government indicated that the solution of the land question in the Highlands must be sought in the direction of making crofters owners of their own holdings.

*To Leaseholders.*—In Scotland men can make their bargains with each other honestly and fairly, and where this has been deliberately done, legislative interference is undesirable. On the other hand, there may be cases in which there has been no new and deliberate bargain, but where all that has been done has been to reduce to writing the customary terms of holding. Legislation has recognised the crofters' tenure as exceptional, and has conferred certain privileges upon it. Where the tenure of a crofter in no way differs from that of his neighbours in its history and character, except in its having been reduced to writing, there seems no valid reason why he should not share equal benefits with them.

## ACCESS TO MOUNTAINS (SCOTLAND).

On the 4th March 1892 Mr. Bryce, M.P. for South Aberdeen, moved in the House of Commons a resolution, "That legislation is needed for the purpose of securing the right of the public to enjoy free access to uncultivated mountains and moorlands, especially in Scotland, subject to proper provisions for preventing any abuse of such right."

To this resolution the Solicitor-General for Scotland assented on behalf of the Government, and the resolution was unanimously agreed to.

Accordingly the Lord Advocate (Sir Charles Pearson) intro-

duced a Bill on 26th May 1892, but so many serious objections were taken on both sides to the various safeguards introduced, that it was evident there would not be sufficient for the necessarily lengthened discussion that must have followed, and the Bill was withdrawn on 13th June 1892. The present Government have done nothing.

### HOME RULE FOR LONDON.

This question divides itself into two branches.

1. There is a demand that the County Council should have the management of certain matters which in many other places are in the hands of municipalities, such as the police, water, gas, tramways, markets, docks, &c. With the exception of the question of the police, these are local and purely municipal concerns which cannot with advantage be here discussed.

2. There are vague proposals sufficiently elusory to escape detailed criticism, and sufficiently suggestive to catch radical and socialistic votes, that larger powers should be conferred upon the London County Council than upon any other municipal body, and indeed that a certain legislative authority should be conceded to it. This is a proposal which no Unionist can listen to. Unionists hold with Mr. John Bright that to have more than one Parliament in this country would be "an intolerable mischief." But if there is to be local parliamentary independence everywhere, London, being the seat of Imperial government, is the last place where it could be tolerated. What would Londoners say to a proposal that Home Rule should be conceded to Ireland, or to Scotland, or to Wales, and that the seat of Imperial government should at the same time be transferred to Dublin, or to Edinburgh, or to Cardiff? Louis XVI. in the hands of the National Assembly, Tewfik in the hands of Arabi, were not more helpless and pitiable than would be the House of Commons in the hands of a hostile London Parliament. The House indeed survived its being turned out by Cromwell, it could hardly hope to survive its being turned out by County Council policemen.

### METROPOLITAN POLICE.

It is sometimes asked, why should the London County Council not, like other municipalities, have the control of their own police? The answer is plain. The maintenance of order in the streets of the metropolis is the concern, not of the people of London alone, but of the whole British nation. London enjoys immense advantages socially and commercially from being the

seat of government, and she cannot complain if in return it is required of her that she should allow the Imperial Government to have in its own hands the protection of order at its own seat. Any serious outbreak in London would affect not London alone but the whole empire. Anarchy in London would paralyse government throughout the whole country. The Government of this country cannot surrender into other hands the protection of the Houses of Parliament, the great central offices of administrative government, and the embassies of foreign states. If, therefore, the civil police are handed over to the County Council, there must at the same time be an immense development of militaryism in the metropolis, a most undesirable thing in many ways. The London police question is a typical illustration of a Radical fad. Nobody suggests that the administration is defective, or the force insufficient. Nobody believes that administration would be more economical, or life and property more secure, or law and order better maintained if the police were under the control of the County Council. But the Radical would much rather see things badly managed by the Local Authority than well managed under the control of the Imperial Government.

#### LONDON PROGRAMME.

The following are the principal items in what is called the "London Programme," to which the Progressist party in the County Council is understood to be committed:—

Control of the Metropolitan Police.

Control of Trafalgar Square and the Royal Parks.

Trade union wages and eight hours' day in all contracts and for all employees of Council.

Municipalisation of water and gas supplies, tramways, markets, artisans' dwellings, London docks, and hospitals, asylums, and dispensaries.

Absorption of the City.<sup>1</sup>

Revision of taxation, including division of rates between owner and occupier; special taxation of land values, empty houses, and vacant land; betterment; and a municipal death duty.

#### BI-METALLISM.

According to the contention of the Bi-metallists, trade is injured by sudden fluctuations in prices, and by the dislocation caused when a change takes place in the relative value of the

<sup>1</sup> A Royal Commission has been appointed upon this matter.



precious metals used as standards in different countries. These evils, it is urged, would be obviated if all nations, or a number of nations, were to unite in adopting two metals as the standard of value and the legal currency, and in fixing a ratio of value between them which was to be universally and permanently respected. To this Mono-metallists reply that such a ratio, being purely arbitrary, could not be maintained, that one metal would drive the other out of circulation, and that the danger of a crash occurring when the ratio gave way would destroy all commercial confidence. The question was debated in Parliament on 28th February 1893.

#### TAXATION OF GROUND RENTS AND VALUES.

This question is dealt with in connection with the Land Laws (p. 403); but, as this matter is one which is persistently agitated, the following further particulars may be of interest and value.

Registered friendly societies have invested more than £1,000,000 in land, offices, and buildings, and £5,380,000 in mortgages and other real securities, and the investments, other than in trade, of the ordinary co-operative societies are about £5,800,000, of which a considerable proportion is invested in lands and buildings. Further, the late Chancellor of the Exchequer, Mr. Goschen, declared in the House of Commons, on May 30, 1892:—"That, in addition to the investment by the working classes of £12,180,000 in building values, there is no doubt that other societies and companies whose income is derived from the contributions of the industrial classes have large sums invested in real property."

The Select Committee, appointed on February 25, 1892, to inquire "into the question of imposing a direct assessment on the owners of ground rents and on the owners of increased values imparted to land by building operations or other improvements," and on which ten Gladstonians and three Liberal-Unionists served, reported:—

"(a) That ground rents are already taxed as being included in the ratable value of the town holding on which they are secured. They do not constitute a fresh matter of assessment hitherto untouched, as is often supposed. The imposition of a direct assessment upon such ground rents, as distinguished from the assessed value of the house itself, as at present rated, would lead to anomalies and inequalities, and has been generally abandoned.

"(b) That the real, as opposed to the apparent, incidence of local taxation in towns falls partly upon the owner of the land, partly upon the house owner, and partly upon the occupier. The proportions in which the burden is distributed are difficult to determine, and depend

upon a variety of circumstances, among which the demand for and supply of houses is the most important.

“(c) Owners of ground rents, with or without reversions, derive no appreciable benefit from local public expenditure for current purposes. Those who have no reversions derive no appreciable benefit from the expenditure on permanent public improvements. The benefit to other ground-rent owners from permanent improvements is sometimes inappreciable, and sometimes substantial, varying according to the proximity of the reversion.

“(d) The burden of such increased local taxation as was not in contemplation of the parties on entering into leases falls on the lessee, unless the occupier has been unable to shift it. But, as regards lessees, the unforeseen increase in the value of their properties has, in most cases, more than made up to them for the unexpected burden of increased rates.

“(e) The proposals made to the committee for a distinct annual assessment on reversions, according to their present values, and for the separate assessment of ground values and building values, are impracticable.

“(f) The proposal to rate vacant building land on its capital value is a total departure from the existing basis of local taxation, and would be practically very difficult in operation. The proposal to rate reversions upon their present values is also open to the same objections.”

#### WELSH LAND COMMISSION.

The Welsh Nationalist Press have for several years endeavoured to stir up an agrarian agitation in Wales similar to the Irish one. The Welsh members, adopting the movement, induced the Government to appoint a Commission to inquire into the land question in Wales. The result of the inquiry has been thoroughly to expose the hollowness and the got-up character of the agitation. The following is an illustration of the evidence elicited, as reported in the *Manchester Guardian* :—

“Mr. Pritchard, who is a magistrate, a barrister, a farmer of his own freehold of one hundred acres, an ex-Bank manager, and a Wesleyan, divided the landowners with tenants into two classes, A and B. In A he placed the large owners, who were Churchmen and Conservatives; in B the smaller owners, who were Nonconformists and Liberals. ‘The distinguishing feature of Class A was that they charged 75 per cent. less than Class B, putting it mildly. The best proof was that when any member of Class A sold and one of Class B bought, the rent was immediately raised. When Class B sold and Class A bought, which rarely happened now, and which used to happen frequently, the buyers reduced the rent as a rule.’ If a Land Court were established, and the standard of Class A were

taken, 'it would be absolutely ruinous to Class B landlords,' while if the standard of Class B were adopted, it would do irreparable mischief to the tenants of Class A landlords."

#### IMPORTED BUTCHER MEAT.

Large quantities of beef and mutton imported from abroad in refrigerators are sold in the large towns as of home growth. It was pointed out by Sir Herbert Maxwell the other day in the House of Commons that in Manchester, American beef is exposed as "prime Scotch." It is suggested that home farmers should get the same protection as is given to home manufacturers by the Merchandise Marks Act, and that meat imported from abroad should not be allowed to be exposed unless ticketed to that effect. A Committee of the House of Lords which investigated this matter has recommended "that every person dealing in imported meat shall register as such, and shall affix a notice plainly exhibited over his shop that he is registered as a dealer in imported meat."

#### FEATHERSTONE INQUIRY.

On 7th September 1893, during a colliery riot at Featherstone, the troops fired upon the people—fortunately a rare event in this country—several persons in the crowd were hit, and two lives were lost. A Commission consisting of Lord Bowen, Sir A. Rollit, M.P., and Mr. R. B. Haldane, Q.C., M.P., was appointed to investigate the matter. It is impossible to go into the details of the question here, but in the result the Commissioners entirely exonerated the military. They found that for the troops

"To withdraw from their position was, as we have already intimated, to abandon the colliery offices in the rear to arson and violence; to hold the position was not possible except at the risk of the men being seriously hurt, and their force crippled. Assaulted by missiles on all sides, we think that in the events which had happened Captain Barker and his troops had no alternative left but to fire; and it seems to us that Mr. Hartley (the magistrate) was bound to require them to do so."

#### INTEREST IN PROPERTY IN LAND.

It is a very general idea, that the exclusive enjoyment of the profits of property in land is in the hands of a favoured few. But this is a mistake. Even where a large unencumbered estate is in the hands of a single proprietor, the rents or profits of that

estate are shared among far more people than is usual in the case of a large personal estate.

"Take for instance, the case of two men, each with a million sterling in their hand to invest; one buys a great estate with an historic seat, the other buys Consols. They may be both men of average philanthropy; but at the end of the year the owner of Consols will have received £25,000 net, of which, if he is very generous, he may distribute £5000 in charity or in works of piety, whereas the purchaser of the landed estate would count himself very lucky if he could reckon upon receiving £10,000, the whole of the remaining £15,000 being, as it were, automatically distributed in benefactions, subsidies, rates, expenses of maintaining what is virtually the county museum and the county park and other expenditure, the chief and sometimes the whole advantage of which is reaped by his poorer neighbour. . . . The charges with which custom, tradition, and the law have saddled the landowner, are, at least, twice, and often ten times, as great as those which press upon the holder of Consols."—*Review of Reviews*, August 1893.

But this is not the only way in which others than private owners are interested in property in land.

"It is a great mistake to suppose that the security of landed property is a matter which concerns only landlords. . . . It deeply concerns all classes which invest money in great or small amounts, from the millionaire down to the country shopkeeper. Not only have private individuals, usually of the middle and lower classes, largely invested in mortgages on landed property, but this has always been a favourite security with Insurance Companies and similar undertakings, such as Friendly or Building Societies, in whose property hundreds of thousands, for the most part, also belonging to the middle and lower classes are interested. Were the rights of property in English land to be invaded by an agitation such as has been so terribly successful in Ireland, the movement would be fraught with the direst consequences to many who have never owned and do not wish to own a foot of the soil."—*Macmillan's Magazine*, August 1892.

#### HYPOTHEC AND HOUSE-LETTING (SCOTLAND).

Agricultural Hypothec has been abolished. Urban Hypothec remains; in other words, the landlord of a house or other building can detain and, if necessary, sell furniture and other plenishings for recovery of his rent. It is urged by some that this should be abolished as an undue privilege to one class of creditor which sometimes operates harshly. On the other hand, it is contended, that if Hypothec were abolished, landlords would

demand rent in advance before allowing the tenant entry to the house, and would allow no indulgence to a tenant who was a little in arrear.

The house-letting question is a new one. Houses are generally taken by the year, and at least forty days' notice before Whitsunday on either side terminates the tenancy. But either party may give notice at as early a date as he thinks proper. In the large towns it is customary for the landlord to ask his tenant in February if he is to renew, and if the tenant declines to agree to do so, the landlord proceeds to endeavour to find a new tenant for the house. It is objected that a year is too long a period for a working man to tie himself down for, and that it is unreasonable to require him in February to say whether he will renew for a year after Whitsunday. The matter, however, appears to be one purely of contract and custom, with which the legislature cannot interfere. If the landlord finds a willing offerer in February, he cannot surely be required to refuse the offer and wait till April to see if the sitting tenant, who meantime will neither say yes nor no, will then desire to remain. On the other hand, if a general demand arises among the working classes for houses by the month, landlords will find it to be to their advantage to let their houses by the month.

#### FEMALE SUFFRAGE.

This thorny subject is mentioned only to show that it has not been forgotten. The majority of the Unionist party are committed to the proposal. The position of the Gladstonians in relation to it is one of some embarrassment. Some have drawn back, and others would fain do so, because through the success of the Primrose League, and in other ways, the fact has been brought painfully home to them, that the great majority of women, at all events of intelligent women, are Conservatives. The Home Counties Division of the National Liberal Federation recently issued a circular signed by Mr. L. V. Harcourt (a son of Sir William's) and Mr. W. Allard, in which they said—

“ We have been informed that the Women's Liberal Federation has practically passed into the hands of the extreme Female Suffrage party, and we would in consequence suggest that the not uncommon practice of introducing lady speakers at Liberal meetings is not under the circumstances advisable, especially where, as often happens, advantage is taken of such opportunities to advocate Female Suffrage at the expense of the general programme of the Liberal party.”

## PAYMENT OF JURORS.

The services of jurors are required both in criminal and in civil cases. Neither in England nor in Scotland do ordinary jurors receive any remuneration for their services in criminal cases, however long they may be kept away from their ordinary avocations. This looks hard at first sight, but on consideration seems to be sound in principle. It is the constitutional right of all Her Majesty's subjects who are charged with serious criminal offences to be tried by their peers, and the inference is not without warrant that it is the duty of their peers to try without remuneration fellow-subjects so charged. Moreover, no man has a right to payment for the discharge of the duties of good citizenship, and one of these duties is to assist in the administration of the criminal law by sitting on a jury when required.

In cases of a civil nature the position is quite different. Persons compelled to leave their own business in order that they may help to settle differences which have arisen among other people, ought to be remunerated by the party ultimately found to be in the wrong. This principle is recognised to some extent in both England and Scotland, but Scottish jurors complain that their present remuneration of 10s. per day is inadequate. They are, however, better off than their brethren in England, who, if common jurors, receive nothing, and if special jurors, only, as a rule, one guinea per case.

## VOLUNTARY SCHOOLS.

Schools are either Board schools or voluntary schools. By complying with the legal requirements both may obtain State assistance for the reduction of fees, and justly so.

In Scotland a School Board can establish any religious instruction it thinks proper in its schools, and as a matter of fact the Shorter Catechism is taught in most Board schools in Scotland, while in one or two Highland parishes Roman Catholic dogmas are taught in Board schools. There seems, therefore, a reason for the existence of voluntary schools, and a just claim on their part to receive, under proper conditions, assistance from the State.

In England no religious catechism or religious formulary which is distinctive of any particular denomination can be taught in a Board school. It can therefore be easily understood that in England and Wales voluntary schools have played a very important part in the education of the young. So much was this the case that in 1887 the Board schools provided accommodation for 1,789,000 children, and voluntary schools for



3,522,000. In the same year the average attendance at Board schools was 1,327,000, and at voluntary schools 2,217,000.

"Up to 1870 voluntary schools were the only means of providing elementary education in England. The Education Act of that year was passed by the assistance given by the Conservatives, but under a solemn promise that it would 'supplement and not supplant' these schools. The voluntary schools now provide accommodation for  $3\frac{1}{2}$  millions of children, or two-thirds of the entire number of school places in the country. They actually educate  $2\frac{1}{4}$  millions of children, or three out of every five children of school age. The Board schools have an average attendance of about  $1\frac{1}{2}$  millions. To destroy the denominational schools an average increase of the school rate of 9d. in the pound over the whole country would be required.

"Since the year 1870 no less than 6000 voluntary schools have been erected, two-thirds of which have been built without any aid from Government, at a cost of six millions of pounds. The remaining third have been helped by Government grants, but have raised £1,348,000 by voluntary effort to meet them."—*Report of Education Department, 1890.*

"To keep up the schools voluntary subscriptions have been raised which now amount to £750,000 a year. Since 1870 upwards of twelve millions of money have been collected for this purpose by Church of England schools alone.

"The accounts of the voluntary schools are properly audited, the schools are regularly inspected, and the education provided will bear favourable comparison with that given at the Board schools.

"The voluntary schools (Church of England, Roman Catholic, and Wesleyan alike) also give religious instruction to every child whose parents desire it, but no child can be forced to receive it against the wish of its parent, and no case of such interference with the rights of conscience can be shown to have existed."—*Handy Notes.*

Voluntary schools, like Board schools, are subject to the visits and reports of Her Majesty's Inspectors of Schools. Radicals and Secularists would fain see voluntary schools destroyed, but no settlement would be fair which did not recognise as well in voluntary schools as in Board schools the right to share in the distribution alike of the old grant and the new one for the relief of school fees.

#### RATING OF MANSION HOUSES.

It is frequently alleged that the burden of taxation falls upon the cottage to the relief of the mansion-house. But this proceeds on a misunderstanding of the principle on which valuation for purposes of taxation proceeds. When a cottage or

mansion-house is actually let, the valuation is easy. When a cottage is not let, the valuation is also easy, because there will probably be many other cottages placed under similar circumstances which either are or have been let, and the value in any particular case is easy of ascertainment. But in the case of a mansion-house not let it is different, and calculation of value must often partake largely of guess-work. Because a cottage which has cost £200 brings in a certain rent, it does not at all follow that a mansion-house, on which twenty times that amount has been spent, will bring in twenty times the cottage rent. The mansion may be built on a bleak barren moorland, and to tempt a proposing tenant a ridiculously low rent may have to be accepted.

The true value both for mansion and cottage surely is what the owner, if a proposing tenant, would be likely under all the circumstances to have to pay for the occupation of the premises.

#### RATING OF MACHINERY.

This is not a matter of any interest in Scotland, but in England it is a burning question. Till recent decisions of courts of law there was no difference of opinion among assessment committees, but the Chard and Tyne boiler cases decided that a class of property which never had been rated before was to be rated in the future. This new view of the law has, however, only been adopted by a very small number of unions. Sir Horace Davey in his place in the House of Commons declared, in 1892, that the present state of the law was unsatisfactory, and was incomprehensible to laymen and to lawyers and uncertain in its operation.

Bills have been brought in every year since 1887. There is nothing of the nature of a party contest about the matter. In 1892 the second reading was moved by a Conservative and seconded by a Gladstonian, and in 1893 *vice versa*. The argument for the bill is that it is not a rich man's bill, and that the artisan workers of the country, the manufacturers, and the assessment committees have all joined hands in supporting the Bill, the sole object of which is to prevent the Chard and Tyne boiler cases being generally applied over the country, and to restore the law to what it was before these cases were decided, and thus make it identical with the law of Scotland and Ireland. Of 652 unions no fewer than 600 are in favour of the policy suggested by the Bill.

The arguments against the Bill are (1) that it only deals with a very small fragment of a very great question; and (2) that it would relieve one class of the community at the expense of another, as in Birmingham, where £3000 of rates now paid

by machinery would, if this Bill became law, be paid by the artisan classes, and as in Wolverton and Crewe, where, at the expense of the artisan classes, the London and North-Western Railway Company would be relieved to the extent of £6000 a year.

When the legislative block caused by the Home Rule Bill is removed, it is quite evident that a bill on similar lines will speedily become law, for in 1893 the second reading was carried in the House of Commons by a majority of 153.

Fuller information can be obtained from a perusal of the second reading speeches in the House of Commons on 8th March 1893.

#### PARISH MINISTERS' RATES (SCOTLAND).

In Scotland the manse and glebe of parish ministers are exempt from poor rate. The exemption, however, is not a personal one, and if a parish minister has private property or occupies a house other than a manse, he pays poor rate in respect of it. Nevertheless, the exemption is a favourite grievance at election times. As ministers of all denominations are, as a rule, sadly underpaid, why should the privilege not be extended to other denominations in respect, not merely as at present, of their churches, but also of other property held by them for ecclesiastical purposes? No class of men feel more sorely the pinch of poverty, and upon no class are there larger demands for voluntary charity. No clergyman of the Established Church would object to the levelling up of those dissenting clergymen who are so anxious to level him down.

#### FREE BREAKFAST TABLE.

This is one of the items in the Newcastle programme. The phrase is somewhat silly. Some ignoramuses suppose that it means "free breakfasts," and vote accordingly. But it is meant to convey the idea of breakfast commodities free from taxation. Some people, however, drink only milk at breakfast, and these pay no tax at present. Others drink beer, but nobody proposes to relieve them. Whether or not breakfast is, or in the future will be, free from taxation, depends entirely upon what people take for breakfast. At present tea and coffee are taxed, and it is proposed to abolish these taxes, which would entail a loss to the revenue of nearly four millions. The present rate is 4d. per lb. upon tea and 1½d. per lb. upon coffee. Conservatives have abolished the sugar duty, and reduced the tea duty from 6d. to 4d., so that they have already done a good deal in this direction. It is an open question, however, whether

even if there were a large surplus available, it would be desirable to abolish the duty on tea altogether. It is much easier, in time of urgency, to increase the rate of taxation upon a commodity than to impose a new tax, and already the country has suffered from the extremely narrow basis to which our system of taxation was reduced thirty years ago. Mr. Goschen has done something to broaden it, but it is still very narrow. It is urged, too, by some that it is desirable that whilst the rich should contribute most, all classes should contribute something to the Imperial revenue, and that, if the duties on tea and coffee were repealed, all persons with incomes under £150, who neither drank nor smoked, would be exempt from taxation altogether.

By the provisions of his Home Rule Bill of 1893, as first presented to the House of Commons, Mr. Gladstone did his best to ensure that the breakfast table of the British workman should remain taxed for ever, because he made the revenue from the Irish customs, Ireland's contribution for Imperial expenditure, and that revenue could not be reduced without relieving Ireland from payment of her fair contribution to Imperial expenditure.

#### DEER FORESTS (SCOTLAND).<sup>1</sup>

This subject was carefully investigated by the Royal Commission on the Highlands and Islands appointed by Mr. Gladstone's Government in 1883. The Commission reported that six objections had been advanced against deer forests, viz. :—

1. "That they have been created to a great extent by the eviction or removal of the inhabitants, and have been the cause of depopulation."

The Commission found that not a single case, so far as could be ascertained by them, of the eviction of crofters for the formation of a deer forest, had occurred within the last thirty years, deer forests having been formed simply by removing the sheep and allowing deer to take their place. The Commission found, further, that a deer forest employs as much permanent labour and rather more temporary labour than does a sheep farm.

2. "That land now cleared for deer might be made available for profitable occupation by crofters."

The Commission found that "by far the larger portion of land devoted to deer is to be found at such altitudes, and consists so much of rock, heather, and moor, as to be unsuitable for crofters, except as sheilings or summer grazings for cattle or

<sup>1</sup> With reference to the Deer Forest Commission at present sitting, see p. 313.

sheep," and that where there is a portion of arable land suitable for crofts in a forest, it is generally surrounded by a large tract of sheep land, which the crofter could not stock or profitably employ.

3. "That the land might be occupied by sheep farmers, and that a great loss of mutton and wool to the nation might be thus avoided."

The Commission found that the number of acres of forest land required to graze a sheep is five, that the land under deer could carry about 395,000 sheep, "and making no allowance for losses, there would be an additional annual supply of about 132,000 if all the forests were fully stocked with sheep. It is thus abundantly evident, that in view of the sheep in the United Kingdom amounting to 27½ millions, besides all the beef grown at home, and all the beef and mutton imported both alive and dead from abroad, the loss to the community is not only insignificant, but almost inappreciable, while, owing to the large importation of wool from abroad, the additional supply of home-grown wool would be altogether unimportant if the area now occupied by deer were devoted to sheep."

4. "That in some places where deer forests are contiguous to arable land in the occupation of crofters, damage is done to the crops of the latter by the deer."

The Commission found this complaint to be proved, and they recommended that proprietors should be compelled to fence out deer from crofters' arable land, or that the crofters should have the privileges of the Ground Game Act, as regarded deer found on their holdings.

5. "That deer deteriorate the pasture."

The Commission found that it was not proved that land under deer was more liable to deteriorate than land under sheep.

6. "That the temporary employment of gillies and others in connection with deer forests has a demoralising effect."

The Commission found that this allegation was unsubstantiated, and that temptations to dissipation "might be found with equal facility and less qualified by wholesome influences in connection with the existence of a seafaring man, a fisherman, or a casual labourer in the lowlands—in fact, in all the other walks of labour and of gain to which the Highlanders betake themselves, and betake themselves with confidence and success."

Turning to the question whether deer forests benefit the poorer class of the community, the Commission found that deer forests were a benefit to the land-owning class. Owing to the small value of wool, sheep farming has become unprofitable in many districts, and the land is difficult to let, and sheep cannot be taken over by the owner except at a ruinous valuation. "We believe

were not for deer forests, and if the present condition of sheep farms is prolonged, much of the land in the Highlands might be temporarily unoccupied or occupied on terms ruinous to the proprietor." The Commission found that by increasing the assessable rent, deer forests diminish the rate of local taxation on other subjects. Finally, they found that these forests have led to the expenditure of a vast deal of money in the Highlands on roads, planting, building, &c., which otherwise would never have come there, and have thus led to the large employment of local labour. Three deer-stalkers alone (Mr. Fowler, Lord Tweedmouth, and Sir John Ramsden) had spent £335,000 in recent years. In one parish £65,876 had been spent on improvements.

On the other hand, the Commission were opposed to any large extension of the forest system to lower lands suitable for tillage, or capable of carrying a large head of stock, and they recommended legislation to restrain any such possible attempt.

*Special Taxation of Deer Forests.*—On this subject the Commission reported:—

"We have not thought it desirable to introduce among the expedients offered for consideration a proposal frequently submitted to us, viz., that a special rate of assessment should be imposed on the annual value of lands used for the purposes of deer-stalking alone. Our object is to control the abuse of the practice in a discriminating way, not to punish or impoverish the landlord. We do not think that any additional percentage of assessment which the Legislature would be likely to sanction would go far to prevent afforestation, though it might raise the rent to the lessee and diminish the return to the proprietor, while it would act indiscriminately in all cases, whether the appropriation of the land was harmless or injurious. The taxation of land with reference to the purpose for which it is employed would, moreover, be a novel principle in fiscal legislation, which on close examination would probably be found not to be acceptable to Parliament, in harmony with true economical principles, or equitable if we regard the conditions under which other kinds of property and sources of private income may be used or abused."

#### NEWCASTLE PROGRAMME.<sup>1</sup>

The National Liberal Federation met at Newcastle on 1st and 2nd October 1891, when the following programme was adopted and was generally approved of by Mr. Gladstone, who, however, did not attach much importance to the order of subjects adopted by the Federation, save that Home Rule for Ireland was to be first.

<sup>1</sup> For "Promise and Performance" see p. 322.



1. Home Rule for Ireland. (See Chapter XIII.)
2. Welsh Disestablishment. (See p. 334.)
3. Extended powers for London County Council. (See pp. 503, 504.)
4. Public representative control of all grant receiving schools. (See pp. 510, 517.)
5. Reduction of qualifying period for registration. (See p. 460.)
6. One man one vote. (See p. 458.)
7. Shorter Parliaments. (See p. 456.)
8. Returning officers at Parliamentary elections to be paid out of rates. (See p. 458.)
9. Payment of members. (See p. 456.)
10. District and Parish Councils. (See p. 324.)
11. Compulsory powers for acquisition by local authorities of land for allotments, small holdings, village halls, places of worship, labourers' dwellings, and other public purposes. (See pp. 54-59, 89, 325, 408.)
12. Abolition of primogeniture and entail. (See p. 401.)
13. Freedom of sale and transfer. (See pp. 400, 412.)
14. Just taxation of land-values and ground-rents. (See pp. 403 and 505.)
15. Compensation to town and country tenants both for disturbance and improvements. (See p. 412.)
16. Enfranchisement of leaseholds. (See p. 402.)
17. Direct popular veto on liquor traffic. (See p. 417.)
18. Disestablishment and disendowment of Scottish Church. (See p. 326.)
19. Equalisation of death duties upon real and personal property. (See p. 431.)
20. Just division of rates between owner and occupier. (See pp. 403, 505, and 512.)
21. Taxation of mining royalties. (See p. 409.)
22. A free breakfast table. (See p. 513.)
23. Extension of Factory Acts. (See pp. 46-52.)
24. Mending or ending the House of Lords. (See p. 455.)

Several of the proposals in the foregoing programme are commendable, and are advocated in this volume. The Gladstonian Government has had the command of the helm of Parliament for a period equal to two ordinary sessions, and they have succeeded in carrying out only one of the twenty-four, viz., No. 10, District and Parish Councils. A number of others are open questions politically; 13 is a compliment to the settled land legislation of Lord Cairns, 22 to the party which reduced the duty on tea and abolished the duty on sugar, and 23 to the party which carried the Factory Acts in the face of Radical opposition; 4 would be resolutely opposed by the whole Roman Catholic population, without whose support the Gladstonian party could have no hope of being anywhere b

in a hopeless minority at next General Election. The more purely party and political questions are all discussed elsewhere in this volume. It is enough here to observe that if these latter proposals were all given effect to to-morrow, the lot of not one man, woman, or child in the kingdom would be better or brighter. It is characteristic of the Gladstonian party that they are always cobbling at the machinery of Government, with a view to crush their political opponents. But once they have effected the proposed changes, instead of setting the machine to work to do some service for the people, they discover that after all it is not such an effective instrument for crushing their opponents as they expected, and they set about cobbling it again. Past experience shows that the Conservative party has nothing permanently to fear from these machinations. In 1832, in 1868, and in 1884 the Conservative party was supposed by its opponents to be finally disposed of. But on the franchise of 1832, for much work done under which Gladstonians now take credit, not one Gladstonian would be elected in Great Britain. On the franchise of 1868 that party would not have 100 members out of Ireland, and their new proposals show that already they have lost confidence in the franchise of 1884.

#### QUALIFICATION OF COUNTY JUSTICES.

In England a County Justice requires as a qualification to own land of a clear yearly value of £100, or to have a reversion in lands of a clear yearly value of £300, or to have been for two years the occupier of a house worth £100 per annum. No such qualification is required for boroughs in England or for either boroughs or counties in Scotland, and it is thought that under the changed conditions of modern society it cannot be maintained as the rule for English counties.

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